

MAGNA CHARTA,  
CVM STA-  
TUTIS, TVM

antiquis, tum recentibus,  
maximopere animo tenendis,

*sam noviter excusa, & summa  
diligentia emendata &  
correcta.*

*huius adiecta sunt nonnulla  
Statuta, nunc demum  
typis adita.*



◦ LONDON,

Printed for the Companie  
of Stationers.

1618.

*Cum Privilegio.*



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Rec. May 15, 1907

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## To the Reader.

**T**He former Book intituled *Magna charta* did containe diuers old Statutes, Lawes, and other things, although good; not verie necessarie to haue in one so portable a volume, and the same confusedly and not orderly digested; and in many places (for want of perfect copies) verie iudicie. This conteyneth the most necessarie of those old Statutes; and diuers later and new Statutes most convenient to be had perfect and readie, not onely by all Students of the Law for their private Studies, Readings, Reports, Bolts, Cases, and other exercises; but also by the practisers of the Law for their daily affayres and causes, which Statutes be those that are indexed in the Table next following, wherein the Statutes which this Booke conteyneth, are in such order as they bee placed in this Booke. The other Table doth conteyne the Statutes in order of Alphabet, wherein

A 2                      the

## To the Reader.

the Statutes, in this booke conteyned  
are collected in the collection of Sta-  
tures compiled by M. Russell: which  
titles are set in this booke, over euer  
such part of the said Statutes, as are  
in that collection; and thereunto  
added the number, at the which the  
same is to be found in the collection.  
The words conteyned betweene the  
two markes, which sometimes ye  
shall find in the booke, do shew what  
is corrected or added to the Statute  
more then was before imprinted, &  
corrections whereof, are to bee ve-  
ranted by diuers ancient copie  
which haue beene carefully  
conferred for the same  
purpose.

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Finis Tabulæ.

# MAGNA CHARTA,

edita Anno nono Hen-  
rici tertij.



EDWARDVS Dei gra-  
tia Rex Angliæ, Dñs  
Hiberniæ, & Dux A-  
quitaniæ: Archiepis-  
copis, Episcopis, Ab-  
batibus, Priorib', Co-  
mitibus, Baronibus,  
Iustic', Vicecom', Pre-  
positis, Ministris, &  
omnibus Balliuis, & fidelibus suis, Salutem,  
Inspeximus magnam Chartam Domini H.  
quondam Regis Angliæ, patris nostri, de Li-  
bertatibus Angliæ, in hæc verba.

HENRICVS Dei gratia Rex Angliæ, Dñs  
Hiberniæ, Dux Norman', & Aquitaniæ, & Co-  
mes Andeg Archiepis, Episcopis, Abbatibus,  
Prioribus, Comitibus, Baronibus, Vicecom',  
Prepositis, Ministris, & omnibus Balliuis, & fi-  
delibus suis, pntem Chartam inspecturis, sa-  
lutem. Sciatis qd nos intuitu Dei, & pro sa-  
lute animæ nostræ, & animarum antecessorū,  
& successorum nostrorum, ad exaltationem  
sanctæ Ecclesiæ & emendationem regni no-  
stri, spontanea & bona volūate nostra, dedi-  
mus & concessimus Archiepiscopis, Epis, Ab-  
batibus, Prioribus, Comit', Baronibus, & om-  
nibus liberis de Regno nro, has libertates sub-  
scriptas, tenēd' in regno nro Angl' in ppetuū.

*Franchises 1. cap. 1.*

Inprimis, Concessimus Deo, & hac præ-  
senti

## Magna Charta.

senti Charta nostra confirmauimus p nobis  
& hæred nostris in ppetuum, quod Ecclesia  
Anglicana libera sit, & habeat omnia iura  
sua integra, & libertates suas illæsas. Con-  
cessimus etiam & dedimus omnibus liberis  
hominibus regni nostri, p nobis & hæredi-  
bus nostris in perpetuum, has libertates sub-  
script: Tenend & habend eis & hæredibus  
suis, de nobis & hæredibus nostris in perpe-  
tuum.

### *Reliefe 1. cap. 2.*

Si quis Com, vel Baronum nostrorum, siue  
aliorum tenentium de nobis in capite per  
seruitium Militar, mortuus fuerit, & cum de-  
cesserit, hæres eius plenæ ætatis fuerit, & re-  
leuium nobis debeat, habeat hæreditatem  
suam per antiquum releuium, scz, hæres, vel  
hæredes Comitum, de com integro, p centum  
libras, hæres vel hæredes Baronis, de baronia  
integra, per centum marcas, hæres vel hære-  
des Militis, de feodo milit integro, p centum  
solidos ad plus. Et qui minus habuerit, minus  
det, secundum antiquam cōsuetudinem feo-  
dorum.

### *Wardes 1. cap. 3.*

Si autem hæres alicuius talium fuerit infra  
ætatem, dominus eius non habeat custodiam  
eius, nec terræ sue, antequam homagium cepe-  
rit. Et postquā talis hæres fuerit in custodia,  
cum ad ætatē puenerit (scilicet xxj. annorū)  
habeat hæreditatē suam sine releuio, & sine  
fine, ira tamen quod si ipse (dum infra ætatē  
fuerit) fiat Miles, nihilominus terræ remaneat  
in

## Magna Charta.

in custodia dominorum suorum, vsque ad terminum predictum.

*Wass. 1. cap. 4.*

Custos terre huiusmodi heredis, qui infra etas fuerit, non capiat de terra heredis, nisi rationabiles exitus, & rationabiles consuetudines, & rationabilia seruitia, & hoc sine destructione, & vasto hominum & rerum. Et si nos commiserimus custodiam alicuius talis terræ Vic', vel alicui alij, qui de exitibus terre illius nobis debeat respondere, & ille de custodia illa, destructionem, vel vastum fecerit. Nos ab eo capiemus emend', & terra committatur duobus legal' & discretis hominibus de feodo illo, qui de exit' terr' illius nobis respondeant, vel illi cui nos illā assignauerimus. Et si dederimus, vel vëdiderim custod' alicuius talis terr', & ille inde destructionē fecerit, vel vastū, amittat illā custod', & tradatur duobus discret' & legal' hominibus de feodo illo, qui similiter nobis respondeant, sicut p'd est. [Vide Glouc' cap. 5. W. 1. ca. 21.]

*Wass. 2. cap. 5.*

Custos autem quamdiu custodiam terre huiusmodi habuerit, sustinet domos, parcos, viuas, stagna, molendina, &c. ad terram illam pertinentia, de exit' terr' eiusdē, & reddat heredi cum ad plenā aetate peruenierit, terrā suā totā instauratam de carucis, & omnibus alijs rebus, ad minus, sicut illam recepit. Hæc omnia obseruent de custodijs Archiepiscopatuum, Episcopatum, Abbatiarū, Prioratū, Ecclesiarum, & dignitatum vacantium, quæ ad nos perti-

## Magna Charta.

pertinent, except qđ custod̃ huiusmodi vendi non debent.

*Wardes 1. cap. 6.*

Hæredes autem maritentur absque disparagatione.

*Women 1. cap. 7.*

Vidua post mortem mariti sui statim & sine difficultate aliqua, habiat maritagiũ suum & hæreditatem suam: nec aliquid det pro dote sua, nec pro maritagio suo, vel pro hæreditatē suā habenda, quam hæreditatē maritus suus, & ipsa tenuerunt simul, die obitus ipsius mariti sui: & maneat in capitali mesuagio mariti sui, per quadraginta dies post obitũ mariti sui, infra quos dies assignetur ei dos sua, nisi prius ei assignata fuerit, vel nisi domus illa sit castrum: & si de castro recesserit, statim domũ ei competens provideatur, in qua possit honeste morari, quosq; dos sua ei assignetur, secundũ quod prædict est: & habeat rationabile estouerium suum interim de cõi. Assignetur autem ei, pro dote sua, tertia pars totius terr̃ mariti sui, quę fuit sua in vita sua, nisi de minori fuerit dotata ad ostium ecclesie. Nulla vidua distringatur ad se maritandũ dummodo voluerit viuere sine marito: Ita tamẽ quod securitatem faciat, qđ se non maritabit sine assensu nostro, si de nobis tenuerit, vel sine assensu domini sui, si de alio tenuerit. [Prærogatiua Regis cap. 4.]

*Debt to the King 1. cap. 8.*

Nos vero vel Balliui nostri, non seiscemus terram aliquam, vel redditum p debito aliquo

## Magna charta.

3

aliquo, quā diu cattalla debitoris p̄sentia, sufficiunt ad debitum reddend', et ipse debitor paratus sit inde satisfacere. Nec pleg' ipſius debitoris distringantur, quādiu ipse capitalis debitor sufficiat ad solutionem ipſius debiti. Et si capitalis debitor defecerit in solutione debiti, non habens unde soluat, aut reddere noluerit cum possit, plegij de debito r̄sdeāt, et si voluerint, habeant terras et reddit' debitoris, quousque sit eis satisfact' de debitis, qd' antea pro eo soluerint, nisi capitalis debitor monstrauerit se esse quietum versus eosdem plegios.

Firzh. Nat.  
bre. fol. 137. c.

### *Franchises 2. cap. 9.*

Ciuitas London' habeat omnes libertates suas antiquas et consuetudines suas. Præterea volumus et concedimus, quod omnes alie ciuitates, burg', et villæ, et Barones de quinque portubus, et omnes alij portus, habeant omnes libertates, et liberas consuetudines suas. Articuli super Chartas cap. 7.

### *Tenure 1. cap. 10.*

Nullus distringatur ad faciendum maius seruitium de feodo Militis, nec de alio libero tenemento, quam inde debetur.

Firzh. Nat.  
bre. fol. 10. d.

### *Common pleas 1. cap. 11.*

Communia placita non sequantur Curiam nostram, sed teneantur in aliquo loco certo. Articuli super Chartas cap. 4.

### *Assise 1. cap. 12.*

Recognitiones de noua disseisina, et de morte ante cessoris, non capiantur nisi in suis com', & hoc modo, Nos vero si extra regnum

Ve. Nat. bre.  
106. a.

B. j.

ſue.



## Magna charta.

fuerimus, capital' Iustic' nostri mittent Iusticia' nostros per vnumquemq; comitatū semel in annū, qui cum Militibus eorund' com', capiant in com' illis assis. p'dict. Et ea que in aduentu suo in illo comitat' p' Iustic' nostr' p'dict. ad dictas assisas capiend' missas, terminari non possunt, p' eisdē terminent alibi in itinere suo. Et ea q' per eisdem ppter difficultatem aliquorum articulorum terminari non possunt, referant' ad Iusticia' nostros de banco, & ibi terminentur.

*Darreinē presentment* 1. cap. 13.

Assisæ de vltima præsentatione, semper capiantur coram Iusticiarijs de banco, & ibi terminentur.

*Amerciament* 1. cap. 14.

Liber homo non amercietur pro paruo delicto, nisi secundū modum illius delicti, & pro magno delicto secundū magnitudinem delicti, saluo sibi contencimento suo: & Mercator eodem modo, salua merchandisa sua, & villanus alterius quam noster, eodem modo amercietur: saluo wainagio suo, si inciderit in misericordiam nostram. Et nulla prædictarum misericordiarum ponatur, nisi per sacramentum proborum & legalium hominum de vicineto. Comites & Barones, non amercientur nisi per pares suos, & non nisi secundum modū delicti. Nulla Ecclesiastica persona amercietur secundum quantitatem beneficij sui ecclesiastici, sed secundum laicum tenē suum, & secundum quantitatem delicti.

*Banquet*

# Magna charta.

4

*Banckes 1. cap. 15.*

Nulla vill', nec liber hom' distringat face' pontes, aut riparias, nisi qui ab antiquo & de iure facere consueverunt tēpore H. regis aui n'ri al' de iure facere debent.

*Banckes 2. cap. 16.*

Nullæ ripariæ defendantur de cetero, nisi illæ quæ fuerunt in defenso tempore Henrici regis aui nostri [&] per eadem loca, & eodē terminos, sicut esse consueverunt tempore suo.

*Pleas of the Crowne 1. cap. 17.*

Nullus Vicecom', Constabularius, Coronator, vel alij Balliui nostri, teneant placita coronæ nostræ.

*Debt to the King 2. cap. 18.*

Si quis tenens de nobis laicum feodum moritur, & Vic', vel Balliuus noster ostendat literas nostras patentes de summonitione [nostra] de debito, qd' defunctus nobis debuit: liceat Vic', vel balliuo nostro attachiari, & imbreniare omnia bona & catalla defuncti inuenta in laico feodo ad valentiā ipsius debiti, per visum & testimonium legal' hominum, ita tamē qd' nihil inde amoueat, donec persoluat nobis debet, quod clarum fuerit & residuum relinquatur executoribus ad faciendum testament' defunct'. Et si nihil nobis debeatur ab ipso, omnia catalla cedant defunct': Saluis vxori eius, & liberis pueris suis, rationabilibus partibus suis.

*Finch. Nat. bre. fol. 132. l.*

*Castles 1. cap. 19.*

Nullus Constabularius, vel eius balliuus,  
B 2 capiat

## Magna charta.

capiat blada, vel alia catalla alicuius qui non sit de villa ubi castrum suū situm est, nisi statim reddat denarios, aut respectum inde habere possit de voluntate venditoris, Si autem de villa illa fuerit, infra quadraginta dies precium reddat, [West. 1. cap. 7. & 31.]

*Castels 2. cap. 20.*

Nullus Constabularius distringat aliquem Militem, ad dandum denarios pro custodia castri, si ipse eam facere voluerit, in propria persona sua, vel per alium pbum hominem faciat, si ipse eam facere non possit, propter rationabilem causam. Et si nos abducerimus, vel miserimus eum in exercitum, sit quietus de custodia castri, secundū quantitatem temporis quo per nos fuerit in exercitu, de feod' pro quo fecit seruitium in exercitu.

*Parueyours 1. cap. 21.*

Nullus Vicecomes, vel Balliuus nostr', vel aliquis alius, capiat equos, vel carectas alicuius p' cariagio faciendo, nisi reddat liberationem antiquis statutis, scilicet pro vna carecta ad duos equos decem denarios per diem, & pro carecta ad tres equos quatuordecim denarios per diem. Nulla carecta dominica alicuius persone ecclesiasticę, vel militis, vel alicuius domini, p' balliuos nostros capiatur, nec nos, nec balliui nostri, nec alij, capiemus boscum alienum ad castra, vel ad alia agenda nostra, nisi per voluntatem illius, cuius boscus ille fuerit.

*Forfeiture 1. cap. 22.*

Nos non tenebimus terras illorum, qui con-

conuicti fuerint de feloniam, nisi per vnum annum, & vnum diem: & tunc reddantur tert illa dñis feodorum. [Prærog Regis cap. vi.]

*Weares 1.*

*cap. 23.*

Omnes Kidelli deponantur de ceteris penitus per Thamesiam, & Medeweiam, & per totam Angl', nisi per costeram Maris.

*Right 1.*

*cap. 24.*

Breue quod vocatur Præcip' in capite, de cetero non fiat alicui, de aliquo liberto tenemento, vnde liber homo perdat curā suam.

*Weights 1.*

*cap. 25.*

Vna mensura vini per totum Regnū nostrum, et vna mensura Ceruiciæ, et vna mensura bladi, scilicet, quarterium Lond', et vna latitudo pannorum tinctorū, russatorum, et haubergottarū, scilicet duæ vlnæ infra listas. De Ponderibus vero sic sicut de Mensuris.

*Fine to the King 1.*

*cap. 26.*

Nihil de cetero detur, pro breui Inquisitionis, ab eo qui inquisitionem petit de vita, vel de membris, sed gratis concedatur, et non negatur. [Westm' 2. cap. 29.]

*Wardes 3.*

*cap. 27.*

Si aliqui teneant de nobis p' feod' firmam vel per Socagium, vel Burgagium, et de alio teneant terram p' seruitiū Militare, nos non habebimus custodiā hæredis, nec terre suæ, quæ est de feodo alterius, occasione illius feodi firmæ, vel socagij, vel burgagij. Nec habebimus custodiā illius feodi firmæ, vel socagij, vel burgagij, nisi ipsa feodi firma nobis debeat seruitium Militare. Nos non habe-

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bimus

## Magna charta.

bimus custodiam hæred, vel alicuius terr quā tenet de aliquo alio p seruitium milif, occasione alicuius parue Seriantiz, quam tenet de nobis per seruitium, reddend nobis cultellos, sagittas, vel huiusmodi.

*Wager of Law 1. cap. 28.*

Nullus Balliuus de cetero ponat aliquem ad legem manifestam, nec ad iurament simplicis loquela sua, sine testibus fidelibus ad hoc inductis.

*Accusation 1. cap. 29.*

Nullus liber homo capiatur, vel imprisonetur, aut disseisietur de liber tenemto suo, vel libertatibus, vel liberis consuetudinibus suis, aut vilagetur, aut exuletur, aut aliquo modo destruat, nec super eum ibimus, nec super eum mittemus, nisi per legale iudicium parium suorum, vel per legem terræ. Nulli vendemus, nulli negabimus, aut differemus iusticiam vel rectum.

*Merchants 1. cap. 30.*

Omnes Mercatores, nisi publice antea prohibiti fuerint, habeant saluum & securum conductum, exire de Anglia, & venire in Angliam, & morari, & ire per Angliam, tam per terram, quam per aquam, ad emendum, vel vendendum, sine omnibus malis tolnetis per antiquas & rectas consuetudines, preterquam in tempore guerræ. Et si sint de terra contra nos guerrina, & tales inueniantur in terra nostra in principio guerræ, attachientur sine dampno corporum suorum vel rerum, donec sciatur à nobis, vel à capitali iusticiar nostro, quo-

quomodo Mercatores terræ nostræ tractantur, qui tunc inueniantur in terra illa contra nos guerrina. Et si nostri salui sint ibi, alij salui sint in terra nostra.

*Tenure 2. cap. 31.*

Si quis tenuerit de aliqua Escaetâ, sicut de honore Wallingford, Notting. Boloñ, [Lancastf] & de alij escaetis quæ sunt in manu nostra, & sint baroniæ, & obierit hæres eius, non det aliud reliquium, nec faciet nobis aliud seruitum, quam feceret Baroni, si [illa] baronia esset in manu Baronis, & nos eodem modo eam tenebimus, quo baro eam tenuit. Nec nos occasione talis baroniæ, vel escaetæ habebimus aliquam escaetam, vel custodiam aliquorum nostrorum hominû, nisi de nobis alibi tenuerit in capite ille qui tenuit [de] de baronia, vel escaeta illa.

*Tenure 3. cap. 32.*

Nullus liber homo det de cetero amplius alicui, vel vendat [alicui] de terra sua, quam vt de residuo terræ suæ possit sufficient fieri domino feodi seruitium ei debitum, quod pertinet ad feodum illud.

*Vacations, &c. 1. cap. 33.*

Omnes Patroni abbatiarum, qui habent chartas Regum Angl' de aduocatione, vel antiquam tenuram vel possessionem, habeant earum custodiam cum [vacauerint] sicut habere debent, sicut superius declaratum est, cap. 5.

Finch. Nat.  
bre. fol. 140. d.

*Appeales 1. cap. 34.*

Nullas capiatur aut imprisonetur ppter appellum femina de morte alterius quâ viri sui.

## Magna charta.

*Countie & Turne 1. cap. 35.*

Nullus Comitatus de cetero teneatur nisi de mense in mensem, et ubi maior terminus esse solebat, maior sit. Vide 2. Ed. 6. cap. 25. Nec aliquis Vicecomes, vel ballivus suus faciat Turnum suum per hundredum, nisi bis in anno, et non nisi in loco debito et consueto, viz. semel post Pascha, et iterum post festum S. Michaelis, et Visus francipleg. tunc fiat ad illum terminum Sancti Michaelis sine occasione. Ita scilicet quod quilibet habeat libertates suas quas habuit, vel habere consuevit tempore Regis Henrici avi nostri, vel quas postea perquisiuit. Fiat autem visus de frankpleg. sic: videlicet, quod pax nostra teneatur, et quod Tithinga teneatur integra sicut esse consuevit, et quod Vicecomes non quærat occasiones, et contentus sit de eo, quod Vic' habere consuevit de visu suo faciendo, tempore H. Reg. avi nostri Vide Marl. cap. 10.

*Mortmaine 1. cap. 36.*

Nec liceat de cetero alicui, dare terram suam alicui domui Religiosæ, ita quod illam resumat de eadem domo tenend'. Nec liceat alicui domui religiosæ terram alicuius sic accipere, quod tradat illam illi a quo eam accepit tenend'. Si quis autem de cetero terram suam alicui domui Religiosæ sic dederit, et sup hoc convincatur, donum suum penitus cassetur, et terr' illa dño illius feodi incurratur. Vide statutum de Religiosis, An 3. E. 1.

*Eschage 1. cap. 37.*

Scrutagium de cetero capiatur sicut capi con-

consuevit tempore H. regis aui nostri.

*Eranchises 3. cap. 38.*

Et saluz sint Archiepiscopis, Episcopis, Abbatibus, Prioribus, Templarijs, Hospitularijs, Comitibus, Baronibus, et omniaibus alijs, tã Ecclesiasticis psonis, quã secularibus, omnes libertates et libere consuetudines, quas prius habuerunt. Omnes autem istas consuetudines et libertates pdictas, quas concessimus in Regno nro tenend' (quantũ ad nos pñent) erga nos et hered' nostros obseruemus, et omnes de Regno nro, tam clerici quã laici obseruent (quantũ ad se pñent) erga suos. Pro hac autem donatione et concessione libertat' istarũ et aliarũ libertatũ contentarũ in Charta nostra de libertatibus Forestæ, Archiepiscopi, Episcopi, Abbates, Priores, Comites, Barones, Milites, liberi Tenentes, et omnes de Regno nro dederunt nobis quinto decimam partẽ omniũ mobiliũ suorũ. Vide Stat 7. An 25. E. 3. Concessimus etiam eisdem p nobis et heredibus nostris, qd' nec nos, nec hered' nri, aliquid perquiremus, per quod libertates in hac Charta contentæ infringantur vel infirmantur. Et si ab aliquo contra hoc aliquid pquisit' fuerit, nihil valeat, et pro nullo habeatur. His testibus Bonifacio Cantuariens' Archiepiscopo, E. Londonensi Episcopo, et alijs. Datum apud Westmĩn decimo die Februarij, Anno regni nostri nono.

Nos autem donationes et concessiones pdictas ratas habentes, et gratas eas pro nobis



## Charta de Foresta.

nobis & hæredibus nostris, concedimus & confirmamus, easque tenore præsentium in-nouamus, volentes & concedentes pro no-bis & hæredibus nostris, quod Charta nostra prædicta in omnibus & singulis suis articulis in perpetuum firmiter & inuiolabiliter ob-seruetur, etiamsi aliqui articuli in eadem charta contenti, hucusque forsitan non fue-rint obseruati, de cetero obseruentur. His te-stibus venerabilibus patribus R. Cantuariensi Archiepiscopo totius Angliæ primate. A. Dunelm Episcopo &c. Datum per manum nostram apud Westmonasterium xxviij. die Martij, Anno regni nostri vicesimo octauo. *Vide Marl. cap. 5.*

## ¶ Charta de Foresta, ædita *Anno 9. Hen. 3.*

**E**Dwardus Dei gratia, Rex Angliæ, Do-minus Hiberniæ, & Dux Aquitan, Archi-episcopis, Episcopis, Abbatibus, Priori-oribus, Comit, Baronibus, Iusticiariis *Forestariis* Vicec, Præposit, Ministris, & omnibus Balli-uis, & fidelibus suis, Salutem. Inspeximus Chartam domini H. quondam Reg. Angliæ patris nostri, de foresta, in hæc verba: H. Dei gratia &c. *vi supra in principio Magnæ Chartæ.*

*Foresta*

*Foresta I. cap. I.*

1 Inprimis, omnes Foresta, quas H. Auus noster afforestauit, videant per bonos & leg. homines. Et si boscum aliquem alium quam suum dñicum afforestauerit, ad dampnū illius cuius boscus ille fuerit, statim deafforestet, Et si boscum suum proprium afforestaueret, remaneat foresta: Salua coia de herbagio, & alijs in eadem foresta, illis qui prius eam habere consuerunt.

2 Homines vero qui manent extra forestam, non veniant de cetero coram Iustie nostris de foresta per cōes summonitiones, nisi sint implacitae, vel plegij alicuius vel aliquorum qui attachiati sunt ppter forestam.

3 Omnes autem bosci qui fuerunt afforestati per Regem Richardum auunculum nrm, vel per Regem Iohannem patrem nostrū vsque ad primam coronationē nostram, statim deafforestentur, nisi sit dñicus boscus noster.

4 Archiepiscopi, Episcopi, Abbates, Priores, Comites, Barones, Milites, & liberi tenentes, qui habent boscos suos in forestis, habeant boscos suos, sicut eos habuerunt tempore primæ coronationis Regis Henrici Aui nostri, ita quod quies sint in perpetuum, de omnibus purpresturis, vastis, & assertis, factis in illis boscis post illud tempus vsque ad principium secundi anni coronationis nostræ. Et qui de cetero vastum, purpresturam, vel assartum, (sine licentia nostra) in illis fecerint, de vastis, purpresturis, & assartis nobis respondeant.

5 Regar-

## Charta de Foresta.

5 Regardatores nostri, eant per forestam ad faciendum regardum, sicut fieri consuevit tempore primę coronationis Regis H. aui nostri, & non aliter.

6 Inquisitio vel visus de expeditatione canum existentium in foresta nostra, de cetero fiat quando fieri debet regardū, scilicet de iij. ann' in tertium annum. Et tunc fiat per visum & testimoniū legal' hoīm, et non aliter. Et ille cuius canis inuentus fuerit tunc non expeditatus, det p mīa tres solidos. Et de cetero null' bos capiatur pro expeditatione canum. Talis autem expeditatio fiat p assisam communiter visitatam, videlicet, quod tres ortelli abscindantur sine pella de pede anteriori. Nec expeditent' canes de cetero, nisi in locis vbi consueperunt expeditari tempore primę coronationis prædicti regis H. aui nostri.

7 Nullus Forestarius, vel alius balliaus de ceter' faciat scotalas, vel colligat herbas, vel auenam, vel bladum aliquod, vel agnos, vel porcellos, nec aliquam collectam faciat, nisi per visum & sacm xij. regardatorū, quando faciunt regardum. Tot forestarij ponantur ad forestas custodiendas quot ad illas custodiendas rōnabiliter viderint sufficere.

8 Nullum Swanimorum de cetero teneatur in Regno nostr', nisi ter in anno, videlicet in principio xv. dierum ante festū sancti Michaelis, quando agistatores nrī conueniunt ad agistandū dominicos boseos nostros, & circa festum sancti Martini in Hyeme quando agistatores nrī debent recipere pannagiū nostrum.

nostrum. Et ad ista dua swanimora conueniāt forestarij, viridarij, & agistatores, & nulli alij per distinctionem. Et tertium swanimotum teneatur in initio xv. dierum ante festū sancti Iohannis Baptiste, pro venatione bestiarum nostrarum. Et ad illud swanimotum tenēd' conueniant forestarij, viridarij, & non alij per distinctionem Præterea singulis xl. diebus per totū annū conueniant forestarij, & viridarij, ad vidend' attachiamēta de foresta, tam de viridi quam de venatione, per p'sentationem ipsorum forestariorum, & coram ipsis attachient. Prædicta autem swanimota non teneantur, nisi in Comitatu, in quibus teneri consueuerunt.

9 Vnusquisq; liber homo agister boscum suum in foresta, pro voluntate sua, & habeat pannagium suum. Concedimus etiam quod vnusquisq; liber homo ducere possit porcos suos per dñicū boscu nrm, libere & sine impedimento ad agistandum eos in boscis suis pprijs, vel alibi vbi voluerit. Et si porci cuius liberi hominis vna nocte pernoctauerint in foresta nostra, non inde occasionetur vnde aliquid de suo perdat.

10 Nullus de cetero amittat vitam, vel mēbra p venatione nra. Sed si quis captus fuerit & conuictus de captione venationis nre, grauius redimat, si habeat vnde redimi possit. Si autem non habeat vnde redimi possit, iaceat in prisoa nostra p vnum annum & vnum diē. Et si post vnum annum & vnu diem pleg' inuenire possit quod amplius de venatione

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nione nra non forisfaciet, exeat de prifona, fin autē, abiuret Regnum Anglię.

11 Quicumq; Archiepiscopus, Epus, Com̃, vel Baro, veniens ad nos ad mandat nostrū, transieret per forestam nostram, liceat ei capere vnam bestiam, vel duas, per visum forestarij si præsens fuerit, sin autem, faciat cornare, ne videatur hoc furtiuè facere. Hoc idem liceat eis redeundo facere, sicut prædictum est.

12 Vnusquisque liber homo de cetero sine occasione faciat in bosco suo, vel in terr̃ sua, siue in aqua, quam hēt in foresta nra, molēd, viuā, stagnū, marleram, fossat, vel terrā arabilem extra cooperē in terra arabili, ita qđ non sit ad nocumentum alicuius vicini.

13 Vnusquisq; liber homo habeat in boscis suis areas accipitrum, esperuā, falconū, aquilarum, & hieronum. Habeant similiter mel, qđ inuentū fuerit in boscis suis.

14 Nullus Forestarius de cetero, qui non sit forestarius de feod̃, reddens nobis firmam p balliua sua, capiat chimagium aliquod in balliua sua. Forestarius autem de feodo, firmam nobis reddens p balliua sua, capiat chimagium, videlicet, pro carecta p dimidū annū, duos denarios, & per aliū dimidiū annum, duos denarios, & pro equo qui portet summagiū per dimidū annū obulū, & p alium dimidū annū obulum, & non nisi de illis qui extra balliua suā, tanquā mercatores veniunt p licentiam suā, in balliua suā, ad boscū, marciū, corticē, vel carbonem emend, & alibi ducend

ducē ad vendendum vbi voluerit. Et de nulla alia carecta vel [equo portante] summagium, aliquod chimagiū capiatur. Et non capiatur chimagium, nisi in locis in quibus antiquitus capi solebat & debuit. Illi autem qui portant super dorsum suum boscū, corticem, vel carbonem ad vendendū, quāvis inde viuant, nullum de cetero deat chimagium forestarijs nostris preterquam in dominicis boscis nostris.

15 Omnes vlagati pro foresta [tantum] à tempore regis H. aui nostri vsq; ad primam coronationem nostram, veneant ad pacem nostram sine impedimēto, & saluos pleg nobis inueniant, quod de cetero non forisfaciēt nobis in foresta nostra.

16 Nullus Constabularius, castellanus, vel balliuis teneant placita de foresta, siue de viridi, siue de venatione [nostra] sed quilibet forestarius de feodo attachiet placita de foresta, tam de viridi quam de venatione, & ea presentet viridarijs prouinciarū, & cū irrotulata fuerint, & sub sigillis viridariorū inclusa, presententur capitalibus Iusticiarij nostris de foresta, cum in ptes illas venerint ad tenendū placita de foresta, & coram eis terminentur. Has autem libertates de forestis concessimus omnibus & c. Saluis Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comib, Baronib, Militibus, & alijs personis tā ecclesiasticis quā secularibus, tēplarijs, & hospitularijs, libertatibus, & liberis cōsuetudinibus in forestis & extra, in warrēnis & alijs, quas prius habuef.

Omnes

## Statutum de Merton.

Omnes autem istas consuetudines &c. vt in fine Magnæ Chartæ. Nos autem donationes &c. vt in fine eiusdem Magnæ Chartæ. &c. [Vide Marl. cap. 5.]

### ¶ Incipit Statutum de Merton edit.

*Anno 20. Hen. 3. &c.*

**P**rouisum est in Curia domini Regis apud Merton, die Mercurij, in crastino Sancti Vincentij, anno regni Regis Henrici filij regis Iohannis vicesimo, coram W. Cantuariensi Archiepiscopo, et Coepiscopis suffragan suis, et coram maiore parte Comitum et Baronum Angliæ ibidem existentium, pro coronatione ipsius domini Regis et Helionoræ Reginæ, pro qua omnes vocati fuerunt, cum tractatum esset de communū utilitate regni sup articulis subscriptis, Ita prouisum fuit et concessum, tam a prædict' Archiepiscopis, Episcopis, Comitibus, Baronibus, quam ab ipso Rege, et alijs.

*Dower 1. cap. 1.*

De Viduis primo, quæ post mortem virorum suorum expelluntur de Dotibus suis, et dotes suas, vel quarentenam suam habere non possunt sine placito, videlicet, quod quisque deforcauerit eis dotes suas, vel quarentenam suam, de tenementis quibus viri sui obierunt seisciti, et ipsæ viduæ postea per placitum recuperauerint, si ipsi deforc de iniusto

## Statutum de Merton. 11

iniusto deforciamento conuicti fuerint, reddant eisdem viduis damna sua, scilicet valorem totius dotis eis contingentis, à tempore mortis virorum suorum, vsque ad diem que ipsæ viduæ per iudicium Curie seisinam suam inde recuperauerint. Et nihilominus ipsi deforciatores sint in misericordia domini regis.

*Wils 1. cap. 2.*

Item omnes Viduæ de cætero possint legare blada sua de terra sua, tam de dotibus suis, quam de alijs terris & tenementis suis: saluis consuetudinibus & seruijs dominorum de feodo, quæ de dotibus & alijs tenemnt suis debentur.

*Redisseissn 1. cap. 3.*

Item si quis fuerit disseisnit de libero tenemto suo, & coram iustic' itinerantibus seisinam suam recuperavit, p' Assisam noue disseisine, vel per recognitionem eorū qui fecerint disseisinam: & ipse disseisnitus p' vic' seisinam suā habuerit, si ijdē disseisitores postea, post iter iustic', vel infra de eodē tenē iterū eundē conquerentem disseisauerint, & inde conuicti fuerint, statim capiantur, & in persona dñi Regis deteneantur, quousq; per dominū regē p' redemptionem, vel aliquo alio modo deliberentur. *Vide Marl. cap. 8.* Et hæc est forma qualiter tales conuicti puniri debeant, videlicet, Cum conquerentes ad Curiam veniant, habeant bñe dñi reg. Vic' directū, in quo contineatur eorū narratio de disseisina facta sup' disseisinam. Et ideo mandet



## Merton.

des vic', qđ assumptis secum custodibus placitorum coronę dñi Regis, & alijs legalibus Militibus in p̄pria p̄sona sua accedat ad tēn illud, vel ad pasturam illā de quib' facta fuit quęrela, & coram eis per primos iuratores, & per alios vicinos, & legales homines *de vicineto illo*, diligentem inde faciat inquisitionem. Et si ipsum iterū inuenerint disseisatum (sicut p̄dictum est) tunc faciat secundum p̄uisionem p̄dictam, sin autem, tunc sit conquerens in misericordia dom̄i regis, & alius quietus recedat. Nec debet Vic' (sine speciali p̄cepto dom̄i regis) h̄modi loquelā p̄sequi. Eodē modo fiat de illis, qui seisinā recuperauer' p̄ assisam mortis antecessoris, & similiter de omnibus terris & tenementis recuperatis per iurā in curia dñi regis, si postea disseisati fuerint à prioribus deforcioribus, vers. quos recuperauerint p̄ iurā quoquomodo. *Vide W. 2. cap. 26.*

### *Approvements 1. cap. 4.*

Item quia multi Magnates Anglię, qui feoffauerunt Milites & allos libere tenentes suos de paruis tenementis in magnis manerijs suis, questi fuerunt, quod commodum suum facere non potuerunt de residuo maneriorum suorum, sicut de vastis, boscis, & pasturis *communibus*, cum ipsi feoffati habebant sufficientem pasturam, quantū pertinet ad tenementū suū, *ita* prouisum est, & concessum, quod quicunq; h̄modi feoffati assisam nouę disseisinę deferant de communia pasturę suę, & coram Iustic' recognit fuerit quod

quod tantam pasturam habeant, quantū sufficit ad tēn sua, & quod habeant liberum ingressum & egressum, de *liberis* tenementis suis, vsq; ad pasturam suam: tunc inde sint contenti, & illi de quibus conquesti fuerint recedant quieti, de hoc quod commodū suū de terris, vastis, boscis, & pasturis fecerint. Si autem dixerint, quod sufficientem pasturam non habeant, vel sufficientē ingressum, vel egressum, quantū pertinet ad tēn sua: tunc inquiratur veritas p assisam. Et si per assisam recognitū fuerit, quod per eosdem deforciantores, in aliqua fuerit impeditus eorū ingressus, vel egressus, vel quod non habeant sufficientem pasturam, & sufficientem ingressum & egressum, sicut prædictum est: tunc recuperent seisinam suam, per visum Iuratorum, ita quod per discretionem & sacramentum eorum habeant conquerentes sufficientem pasturam, & sufficientē ingressū & egressum in forma prædict, & discessitores sint in mīa domini regis, ad dampna reddāt, sicut reddi solent ante prouisionem istam. Si autem recognitum fuerit per assisam, quod querētes sufficientem habeant pasturā, cum libero & sufficienti ingressu & egressu, sicut prædict est: tunc licitē & libere faciant dom' commodū suum de residuo, & recedant de ill' assisa quieti. *West. 2. cap. 48.*

*Vsurie 1. cap. 9.*

Similiter prouisum est, & à dño rege concessum, quod de cetero non current Vsurie contra aliquē infra ætatem existē, à tēpore

## Merton.

mortis antecessoris sui, cuius hæres ipse est, vltq; ad legitimam ætatem suam, ita tamen quod propter hoc non remaneat solutio debiti principalis simul cum vlturis ante mortem antecessoris sui, cui<sup>9</sup> hæres ipse est, inde prouenientibus.

*Wards 4. cap. 6.*

De hæred<sup>9</sup> per parentes, vel p alios, contra pacem vi abductis, vel detentis, seu maritatis, ita prouisum est, quod quicumq; laicus inde conuictus fuerit, quod puerum aliquem sic detenuerit, abduxerit, seu maritauerit, reddat p denti valorem maritagij: & pro delicto corpus eius capiat, vt imprisonetur, donec per denti emendauerit delictū si puer mariteretur: & præterea donec domino Regi satisfecerit pro transgressione sua. Et hoc de hærede infra quatuordecim annos existē. De hærede autē cum sit quatuordecim annorum, vel vltra, vsque ad plenam ætatem, si se maritauerit sine licētia dñi sui, vt ei auferat maritadium suum, & dominus eius offerat ei rationabile maritagiū, vbi non disparagetur, dñs suus tunc teneat terram eius vltra terminū ætatis suæ, scilicet xxj. annorū, per tātum tēpus quod inde possit percipere duplicem valorem maritagij, scđm estimationem legalium hominum, vel secundum qđ ei p eodē maritagio prius fuerit oblāt, sine fraude & malitia, & scđm qđ probari poterit in cur dñi regis.

*Wards 5. cap. 7.*

De dominis qui maritauerint illos quos habent

habent in custodiā, villanis, vel alijs, sicut bur-  
gen. ubi disparagenē: si talis heres fuerit in-  
fra xiiij. annos, & talis ætatis qđ consentire  
non possit matrimonio: tūc si parētes con-  
querantur de illo dño, dñs ille amittat custo-  
diam vsque ad ætatem hæredis, & omne cō-  
modum quod inde perceptū fuerit, conuer-  
tatur in commodum ipsius hæredis qui infra  
ætatem est, secundum dispositionē & proui-  
sionem parentum suorum, propt̃ dedecus ei  
factū. Si autē fuerit 14. annor̃ & ultra, quod  
consentire poterit, & tali maritagio consen-  
serit, nulla sequatur pœna. Si quis hæres cu-  
iuscunq; fuerit ætatis, pro dño suo se noluerit  
maritare, non cōpellat̃ hoc facere, sed cum  
ad ætatē puenerit, det dño suo & satisfaciāt  
ei de tanto quantum inde p̃cipere possit ab  
aliquo pro maritagio suo anteq̃ terrā suā  
recipiat, & hoc siue se voluerit maritare, siue  
non: quia maritagium eius, qui infra ætatem  
est, de mero iure pertinet ad dominum feodi.

*Limitation 1. cap. 8.*

De narratione discensus in bñ de Recto  
ab antecessore a tēpore H. regis senioris anñ  
& die, Prouisum est, quod de cetero non fiat  
mentio de tam longinquo tēpore, sed a tēp-  
pore H. regis aui nostri, & locū habeat ista  
p̃uisio ad Pentecosten, Anno regni dñi Re-  
gis nunc 21. & non antea: & breuia prius  
impetrata p̃cedat, Breuia mortis Antecesso-  
ris, de Natiuitate, & de Ingressu, nō excedāt vlti-  
mū reddit dñi regis Iohannis de Hiberniā in  
Angliā, & locū habeat ista p̃uisio &c. vsq̃

## Merton.

Breuia noue diss. non excedant primam transmutationem dñi regis qui nunc est in Vascōn' & locū habeat ista pmissio à tēpōe p'd' & brenia prius impetrata pcedant. *Vide West. 1. cap. 38. & 32. H. 8. cap. 2.*

*Bastardie 1. cap. 9.*

Ad bñe regis de Bastardia, utrum aliquis natus ante matrimoniū habere poterit hereditas, sicut ille qui natus est post matrimoniū, Responderunt omnes Episcopi, quod nolunt nec possunt ad istud breue respondere, quia hoc esset contra communem formam Ecclesiæ. Et rogauerunt omnes Episcopi magnates, ut consentirent, quod nati ante matrimoniū essent legitimī, sicut illi qui nati sunt post matrimoniū, quantum ad successionem hereditariam, quia Ecclesia tales habet pro legitimis. Et omnes Comites & Barones una voce responderunt, qd' nolunt Leges Angliæ mutare, quæ hucusque vtitur sunt & approbatæ.

*Attorney 1. cap. 10.*

Prouisum est insuper, qd' quilibet liber homo, qui iectam debet, ad com, tithingam, hundred, & wapentag, vel ad Curiam dñi sui, liberè possit facere Attourn' suū, ad iectas illas p'notificandas.

*Forests 17. cap. 11.*

De malefactoribus in parcis & viuarijs nondū est discussum, quia magnates petierūt propriam prisonam de illis, quos caperent in parcis & viuarijs suis. Quod quidē dominus Rex contradixit, & ideo differtur.

Dicit

¶ **Dies communes in Banco, ædit***Anno 51. El. 3.**Dayes in banke 1. cap. 1.*

**S**I breue venerit in octabis Sancti Michaelis, tunc dabitur dies in octabis Sancti Hillarij. Si in quindena sancti Michaelis, in quindena sancti Hillarij. Si in tribus septimanis Sancti Michaelis, in crastino Purificationis beatæ Mariæ. Si in mense Sancti Michaelis, in octabis Purificationis beatæ Mariæ. Si in crastino animarum, in quindena Paschæ. Si in crastino Sancti Martini, in tribus septimanis Paschæ. Si in octabis sancti Martini, in mense Paschæ. Si in quindena Sancti Martini, in quinq; septimanis Paschæ. Et est quidem dies specialiter datus in crastino Ascensionis dñi, & tantum valet, quantum v. septimanis Paschæ. Si in octa. Hillarij, in octabis Sanctæ Trinitatis. Si in quindena Sancti Hillarij, in quindena sanctæ Trinitatis, & aliquando in crastino Sancti Iohannis Baptiste. Si in crastino Purificationis beatæ Mariæ in crastin, & in octa. sancti Iohis Baptiste. Si in octab. Purificationis in xv. sancti Iohannis Baptiste. Si in quinden Paschæ, in octa. sancti Michaelis. Si in tribus septimanis Paschæ, in quindena sancti Michaelis. Si in mense Paschæ, in tribus septimanis Sancti Michaelis. Si in v. septimanis Paschæ, vel in crastin Ascensionis domin, in mense S. Michaelis. Si in octabis sanctæ Trinitatis, in crastin animarum.

## Dies communes.

Si in quindena sanctæ Trinitatis, vel in crastino Sancti Iohannis Baptiste in crastino Sancti Martini. Si in octab. Sancti Iohannis Baptiste in octa. Sancti Martini. Si in quindena Sancti Iohannis Baptiste, in quindena Sancti Martini. Et sic responderet quilibet terminus alij. *Vide 32. H. 8. cap. 21.*

¶ Dies communes in Banco, in placit  
Dotis, ædificatio Anno 51. H. 3.

*Dayes in banke 2.*

**S**I in octa. Sancti Michaelis breue venerit, dabitur dies in crastino animarum. Si in quindena Sancti Michaelis, dabitur dies in crastino Sancti Martini. Si in mense Sancti Michaelis, in quindena Martini. Si in crastino animarum, in octabis sancti Hillarij. Si in crastino Martini, in quindena Hillarij. Si in octabis Martini, in crastino Purificationis. Si in quindena Martini, in octa. Purificationis. Si in octa. Hillarij, in xv. Pasche. Si in quindena Hillarij, in tribus septimanis Pasche. Si in crastino Purificationis, in mense Pasche. Si in octa. Purificationis, in crastino Ascensionis. Si in quindena Pasche, in octab. Trinitatis. Si in tribus septimanis Pasche, in quinden Trinitatis. Si in mense Pasche, in crastino Sancti Iohannis Baptiste. Si in quinq. septimanis Pasche, in octabis Sancti Iohannis. Si in crastino Ascensionis domini, in xv. Sancti Iohannis. Si in octabis

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bis Trinitatis, in octabis Sancti Michaelis. Si in quindena sanctæ Trinitatis, in xv. Sancti Michaelis. Si in crastino Sancti Iohannis Baptiste, in iij. septimanâ sancti Michaelis. Si in octabis sancti Iohannis Baptiste, in mense Sancti Michaelis. Si in quindena Sancti Iohannis Baptiste, in crastino Animarum. *Vide 32. H. 8. cap. 21.*

¶ Statutū de Marlebridge, ædit'  
*Anno 52. Hen. 3.*

**A**Nno Gratiz M. CCLxvij. Regni autem domini Henr filij Regis Iohannis quinquagesimo secundo, in octabis S. Martini, providente ipso domino Rege, ad regni sui Angliæ meliorationem, & exhibitionem justiciæ ( prout regalis officij exposcit utilitas ) pleniorē, conuocatis discretioribus eiusdem Regni, tam maioribus quā minoribus: Pronisum est & statutum, ac concordatum & ordinatum, vt cum regnū Angl' multis tribulationibus & dissensionum incommodis nuper esset depreſsum, reformatione legum & iurium ( quibus pax & tranquillitas incolarum conseruetur ) indigeat, ad qd remediū salubre p ipsum Regem & suos fideles oportuit adhiberi: prouisiones, ordinationes, & statuta subscripta, ab omnibus regni ipsius incolis, tam maioribus quā minoribus, firmiter & inuiolabiliter tēporibus perpe-



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perpetuis statuerit obseruari.

*Distres 1. cap. 1.*

Cum autem tempore turbationis nuper in regno Angliæ suborta, & deinceps, multi magnates & alij iustitiam indignati fuerint recipere per dominum Regem, & curiam suam, prout debuerunt, & consueuerunt temporibus prædecessorum ipsius domini Regis, & etiam tempore suo : sed de vicinis suis, & alijs per seipsos graues ultiones fecerint, & distractiones, quousque redemptiones reciperent ad voluntatem suam. Et præterea quidam eorū, se per ministros domini regis iustitiam non permittant, nec sustineant quod per ipsos liberentur distractiones, quaa autoritate propria fecerint ad voluntatem suam. Prouisum est, concordatum & concessum, quod tam maiores, quam minores, iusticiam habeant & recipiant in curia domini Regis. Et nullus de cætero ultiones, aut distractiones faciat p voluntatē suam, absq; consideratione curiæ dñi regis, si forte dampnum vel iniuria sibi fiat, vnde emendas habere voluerit de aliquo vicino suo, siue maiore siue minore. Super articulo autem supradicto prouisum est & concessum, quod si quis de cætero ultiones hmodi cepit p voluntatem suam propriam absq; consideratione curiæ domini regis ( ut prædictum est ) & inde conuincatur, puniatur p redemptionē, & hoc secundū quantitatem delicti. Et similiter si vicinus sup vicinū suū faciat distractionē, sine consideratione curiæ dñi regis, p qd dampnum habeat, puniatur eodē modo, &  
hoc

hoc secundum quantitatem delicti. Et nihilominus fiat emendæ plenè & sufficienter eis, qui dampna sustinuerint p hñdi districtiõn.

*Distres 2. cap. 2.*

Nullus insuper maior vel minor distringat aliquem ad veniend ad cur suam, qui non sit de feodo suo, aut sup ipsum non habeat iurisdictionem per hundred, *wapentag* vel balliuam, *que sua sit* nec districtiones faciat extra feodum suum, seu locum vbi balliuam habeat, vel iurisdictionem. Et qui contra hoc statutum fecerit, puniat eodem modo, & hoc secundum delicti quantitatem, & etiam qualitatem.

*Distres 3. cap. 3.*

Si quis autem maior vel minor, permittere noluerit liberari per ministros domini regis, secundum legem & consuetudin' regni, districtiones quas fecerit: aut etiam sustinere noluerit summonitiones, attachiamta, executiones iudiciorum curiæ dñi regis fieri *secundum legem & consuetudinem regni ut prædict' est*, puniatur modo prædicto, tanquam se iusticiari non permittens, & hoc secundum delicti quantitatem. Et si quis maior vel minor districtiones faciat sup tenentem suum p seruitijs & consuetudinibus, quæ sibi deberi dicat, vel p re altera, vnde ad dominum feodi pertineat districtiones facere, & postea cõvincat, qd tenens ea sibi non debeat: non ideo puniatur dñs per redẽptionem, vt in supradictis casibus, si pmittat districtiones deliberari secundum legem & consuetudin' regni, sed amercia-

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cientur, velut haftenus confuetum est, & tenens dampna sua recuperet versus eum.

*Distres 4. cap. 6.*

1. H. 6 fol. 3.  
Si home tient  
terres p seruice  
en vii countie,  
de vn Mannor  
en au c countie,  
Seignior poit  
distraire pur  
seruicos, & a-  
mesner le di-  
stres al manor  
en au c countie.

Nullus de cætero faciat ducere distric-  
tiones quas fecerit, extra comitatū in quo captæ  
fuerint. Et si vicinus hoc fecerit super vici-  
num suum, & per voluntatem suam, & sine  
iudicio, puniatur p redemptionem vt supra,  
veluti de re *facta* contra pacem. Verunta-  
men si dominus hoc super tenentem suum  
facere præsumperit, castigetur per grauem  
misericordiam. Districciones insuper sint ra-  
tionabiles, & non nimis graues. Et qui distri-  
ciones fecerint irrationabiles, & indebitas,  
grauiter amercientur propter excessum di-  
strictionum ipsarum. *Vide Statut. Ann. 1. & 2.  
P. & M. cap. 13.*

*Confirmation 1. cap. 5.*

Magna Charta in singulis suis articulis te-  
neatur, tam in his quæ ad Regem pertinent,  
quam quæ ad alios, & hoc coram Iusticiariis  
itinerantibus in suis itineribus, & Vic' in com-  
suis, cum opus fuerit demandetur, & breuia  
versus eos qui contrauerint gratis conce-  
dantur corā Rege, vel corā Iustic' de bāco,  
vel coram Iustic' itinerantibus, cum in par-  
tes illas venerint. Similiter Charta de For-  
esta in singulis suis articulis teneatur, & con-  
trauenientes p dñm Regem, cum conuicti  
fuerint grauiter puniantur modo suprad.

*Wardes 6. cap. 6.*

De his autem qui primogenitos & hære-  
des suos infra ætatem existentes feoffare so-  
lent

lent de hæreditate sua, vt per hoc amitterent  
domini feodorum custodias suas, Prouisum  
est, concordatum, & concessum, quod occasi-  
one huiusmodi *falsi* feoffamenti, nullus ca-  
pitalis dñs amittat custodiam suam. De his  
insuper qui de terris suis, quas tradere volu-  
erint ad terminum annorum, vt per hoc dñi  
feodorum amittant custodias suas, falsa fin-  
gunt feoffamenta continētia, quod eis satis-  
factum est de summa seruitij in illis content  
vsque ad terminum aliquem: ita quod si ad  
dictum terminū soluere teneantur huiusmodi  
feoffati summā aliquā ad valorem terrarum  
illarum, vel in multo excēdentem, vt sic post  
terminū illum terra eorū reuertatur ad ipsos  
vel ad hæredes suos, eo quod nemo eam pro  
tanto tenere curaret: Prouisum est, concor-  
datum, & concessum, vt per hñodi fraudem  
nullus capitalis dñs amittat custodiam suā:  
Veruntamen non licebit eis hñodi feoffatos  
sine iudicio disseisire: sed breue habeant de  
hñodi custodia sibi reddenda, & per testes  
in chartis de huiusmodi feoffamento contē-  
tos, vna cum alijs liberis & legal' hominibus  
de patria, & per quantitātē & valorē tēsi, &  
per quantitatem summæ, quæ inde reddi de-  
beant post terminum *prædictum* attinga-  
tur, vtrum huiusmodi feoffamēta bona fide  
facta sint, an in fraudem, ad auferendum ca-  
pital' dominis feodorum custodiam suam. Si  
vero capital' domini per iudicium curiæ in  
huiusmodi casibus recuperauerint custodiam  
suam, salua sit nihilominus hñodi feoffatis  
actio

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actio sua, quo ad terminum, seu ad feodum recuperandū, quam inde habuerint cum heredes ad legitimam ætatem peruenerint. Et si aliqui capitales dñi feoffatos aliquos malitiosè implacitauerint, fingentes casū istum, maximè vbi feoffamta legitimè & bonâ fide facta fuerint, tunc adiudicent feoffatis dāpnū sua, & misæ suæ, quas fecerint occasione p̄d placiti, & ipsi actores per misericordiā grauiter puniantur.

### Wards 7. cap. 7.

In placito vero communi de custodijs, si ad magnam districtionem non venerint deforciatores, tunc bis vel ter iteretur breue prædictum ad terminos quibus fieri poterit, infra medietatem anni sequentis, ita quod singulis vicibus legat breue in pleno comitatu *nisi al' vbi* prius inuentus fuerit deforciator. Et ibi publicè denunciatur, vt veniat ad diem sibi præfixum. Quod si ipse extunc se subtraxerit, ita quod infra medietatem anni p̄dictæ responsurus non venerit, nec vicecomes eum inuenire possit, per quod corpus suum habere non possit corā iusticiarijs, ad respondendum secundum legem & consuetudinem regni, tunc (tanquam rebellis, & se iusticiari non permittens) amittat seisinā hñodi custodiæ, salua sibi aliàs actione sua, si fortè ius habeat ad eandem. In casibus autem vbi custodiæ pertinent ad custodes hæredum infra ætatem existentium versus custodes ill' petatur custodia que accidit hereditibus illis tanquam pertinens ad eorum hæreditates:

ditares : & non amittat hñdi hæredes infra  
gratem existētes, hæreditatem suā per negli-  
gentiā, vel rebellionem suorū custodū, sicut  
in casu pñ, sed currat lex cōmunis eodē mo-  
do quo prius currere consuevit.

*Redisseisū 2. cap. 8.*

Illi autē qui pro iterata disseisina capñ fue-  
rint & detenti, non deliberent sine speciali  
pcepto dñi regis, & hoc per finem cum domi-  
no rege inde faciendū pro hñodi transgressione  
sua. Et si cōpertū fuerit qđ vic' aliter eos de-  
liberauerit, ppter hoc grauitè amercietur,  
& nihilominus illi qui per vicecomitem, sine  
pcepto domini regis, sic deliberantur, pro  
sua transgressione grauitè puniantur. *Mer-  
ton cap. 3. West. 2. cap. 26.*

*Suite 1. cap. 9:*

De sectis vero faciēdis ad curiam Magna-  
tum, vel ad curiam aliorum dominorū ipsarū  
cur, de cetero sic obseruandum est, qđ nullus  
qui per chartam feoffatus est, distringatur de  
cetero ad hñodi sectam faciendā ad curiam  
dñi sui, nisi per formam *feoffamenti sui* spe-  
cialiter teneatur ad sectam illam faciendā.  
His autem exceptis quorū antecessores, vel  
ipsimet, hñodi sectam facere consueuerunt  
ante primam transfretationem pñdicti dñi  
Regis Henrici in Britanniam, à tempore cu-  
ius transfretationis elapsi sñnt xxxix. anni  
& medietas vnus anni *ad tempus* quo hu-  
iusmodi constitutiones fuerunt statutz.  
Similiter nullus feoffatus, a tempore con-  
questus *sine charta* vel alique alio antiquo  
feoffa-

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feoffamento distringatur ad hñodi sectam faciend; nisi ipsimet, vel antecessores sui, eam facere consueuerūt ante primam transfretationem p̄dictam: Qui autē per cartam pro certo seruitio, veluti pro libero seruitio tot solidorū annuatim p̄ omni seruitio soluendū feoffati sunt, ad hñodi sectam, vel ad aliud, contra formam feoffamenti sui, de cætero non teneantur. Et si hereditas aliqua, de qua tantum vnica secta debeat, ad plures hæredes participes eiusdē hæreditatis deuoluatur, ille vero qui habet enitiā partē hæreditatis illius, vnicam faciet sectam pro se & participibus suis, & alij participes sui pro portione sua, contribuant ad sectam illam faciendam. Et si plures feoffati fuerint de hæreditate aliqua, de qua tamen vnica secta debeat, dñs illius feodi vnicam sectā inde habeat, nec possit de p̄dicta hæreditate nisi vnicā sectā exigere, sicut prius inde fieri cōsueuit. Et si feoffati warrantū, vel mediū non habeant, qui *inde* eos acquietare debeat, tunc omnes illi feoffati, contribuant *pro portione sua* ad sectam illam pro eis faciendam. Li autē contingat, qđ dñi cū, tenentes suos contra hanc constitutionem, p̄ hñodi secta distringant, tunc ad querimoniam tenentiū illorum attachientur corū domini, quod ad curiam Regis veniant ad breuem diem, inde responsuri, & vnicū inde habeant effoniū si fuerint in Regno, & incontinentēr delibrentur conquerenti aueria sua, siue alix restrictiones, hac occasione factę, & deliberatę

re-

remaneant, donec placitū inde inter eos terminetur. Et si domini curiarū, qui huiusmodi districtiōnes fecerint, ad diem, ad quē attachiari fuerint non venerint, vel diem p̄ effonium sibi datū non obseruauerint, tunc m̄a-  
detur vicecomiti, qđ eos ad alium diem venire faciat, ad quē diem si nō venerint, tunc mandetur vicecomiti, quod distringat eos p̄ oīa catalla, quæ habent in balliua sua, ita qđ vicecomes respondeat dño Regi de exitibus dicti h̄redis, & qđ habeat corpora eorū ad certum diē sibi p̄figendum corā Iusticiariis. Ita qđ si ad diē illum non venerint, eat p̄ cō-  
querens inde sine die, & aueria sua, siue aliarū districtiōnes hac occasione factæ, deliberata remaneant, donec ipsi dñi sectā illā recuperauerint p̄ considerationē curiæ regis, & cessent interim h̄modi districtiōnes, saluo dñis curiarum iure suo de sectis illis recuperandis in forma iuris, cum inde loco voluerint.

Et cum dñi curiarum inde venerint respō-  
suri conquerentibus de h̄modi districtiōni-  
bus, & sup̄ hoc cōvincantur, tunc p̄ cōsiderationē curiæ dñi regis recuperent versus ipsos conquerentes dampna sua quæ sustinuerunt occasione districtiōnis p̄d. Simili autē modo si tenētes, post hāc constitutionē, subtrahūt dñis [scodorum] sectas quas facere [debeant] & quas ante tēpus p̄dictē transfretationis, & hactenus facere consueuerunt, tunc p̄ eandē iusticiam, & celeritatē quo ad dies p̄figendū, & districtiōnes adiudicandū, consequātur dñi curiarū iustitiā de sectis illis p̄quirendis, vna

D

cum



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cum dāpnis suis quēadmodū tenētes dāpna sua recuperarent. Et hoc scz. de dampnis recuperādis, intelligatur de subtractionibus sibi factis, & nō de subtractionibus factis prædecessoribus suis. Veruntamē dñi curiarum versus tenentes suos seisinam de huiusmodi sectis recuperare non poterūt per defaltam, sicut prius fieri consuevit. De sectis autem quę ante tempus supradictum subtractę fuerunt, currat Lex communis, sicut prius currere consuevit.

*Countie & Tourne 2. cap. 10.*

De Tournis Vic' pronisum est, qđ necesse non habeant ibi venīr Archiepiscopi, Episcopi, Abbates, Priores, Comites, Barones, nec aliqui viri Religiosi, seu Mulieres, nisi eorum p̄sentia ob aliquam causam specialiter exigatur, sed teneatur Turnus, sicut temporibus prædecessorū dñi regis teneri cōsuevit. Et qui in[diuersis] hund' habeant tenementa, non habeant necesse ad huiusmod' Turnos venire, nisi in balliuis vbi fuerint conuersantes. Et teneantur Turni secundum formam Magnę chartę, & sicut temporibus Regum Rich. & Iohannis teneri consueverunt. [Vide Mag. chart. cap. 35.]

*Beaupleader 1. cap. 11.*

Pronisum est etlā, qđ nec in itinere Iustic' nec in com. in hundred', nec in cur' Baroni de cætero capientur fines ab aliquibus p pulchre placitand', neq; [p eo] qđ non occasionentur. Et sciēdū est, qđ p istam constitutionem non tollūtur fines certi, seu p̄stationes arrenta-

arrentatz à tempore quo dominus Rex primū transtretauit in Britanniam vsq; nunc.

*Days in banke 3. cap. 12.*

In placito vero dotis, qd' dicitur vnde nihil habet, dentur de cætero quatuor dies p annum ad minus, & plures si cōmodè fieri poterit, ita quod habeant quinque vel sex dies ad minus p annū. In affisi. [autē] vltimæ præsentationis, & in placito quā imped' de ecclesijs vacantibus, dentur dies de quindena in xv. vel de tribus septiman' in tres septimanas, put locus fuerit propinquus, vel remotus.

*Quare impedit 1. cap. 13.*

Et in placito quā imp' si ad primum diem ad quem summonitus fuerit, non venerit nec essonium miserit impeditor, tunc attachies ad alium diem, quo die si nō venerit, nec essonium miserit, distringatur per magnam distractionē superius datam. Et si tunc non venerit, p eius defaultam scribat episcopo illius loci quod reclamatio impeditoris, illa vice conquerenti non obsistat, salvo impeditori alias iur suo, cum inde loqui voluerit. Eadem lex de attachiamētis faciēdis in omnibus breuib' vbi attachiamenta iacent de cætero (quoad distractiones faciendas) firmit' obseruet: ita tamen qd' secundū attachiamentum fiat p meliores plegios, & postmodū vltima distractio. [Vide Art sup chartas cap. 15.]

*Essoine 1. cap. 14.*

Et sciendum est [quod] postquam aliquis posuerit se in inquisitionem aliquam, quæ emergerit, vel emergere poterit in huiusmodi

Dij

brevibus

## Marlebridge.

breuibus, non habebit nisi vnicū effōniū, vel vnicam defaltam, ita qđ si ad diē sibi datum per effōn suū non venerit, aut secundo die defaltam fecerit, tunc inquisitio illa per eius defaltam capiatur, secundum inquisitionem illam ad iudiciū procedatur. Si vero inq̄sitio illa capta fuerit in comitatu corā vicecomitē vel coronatore, ad iusticiarios dñi Regis ad certum diē est remittendum. Et si pars rea non venerit ad diē illū, tunc ppter defaltam ipsius assignetur & alius dies, secundum discretionem iusticiariorū, & mandetur vicecomiti, qđ ad diē illū faciat eum venire ad audiendū iudiciū (si velit) secundū inquisitionem illam. Ad quem diē si non venerit, ppter defaltam suam pcedatur ad iudiciū. Eodem modo fiat, si non veniat ad diē sibi datum per effōnium suū.

*Luyours I. cap. 15.*

De chartis vero exēptionis, & libertatis, ne ponantur impetrātes in assisis, iuratis, vel recognitionibus aliquibus: Prouisū est, qđ si adeo necessarium sit eorum iuramentum, qđ sine eis iusticia exhiberi non poterit (veluti in magnis assisis, & in perambulationibus, & in chartis vel scriptis cōventionum, vti fuerunt testes nominati, aut in attinctis, vel alijs consimilibus) iurā cogantur, salua sibi aliā libertate, & exemptione sua p̄dicta.

*Distres 5. cap. 16.*

Nulli de ceter' liceat, ex quacunq; causa distractiones facere extra feodum suū, nec in via Regia, aut in communi strata, nisi dñio Regi,

Regi, & ministris suis specialem auctoritatē  
ad hoc habentibus. *Westm. 1. cap. 19.*

*Mortdauncester 1. cap. 17.*

Si hæres aliquis post mortem antecessoris  
sui infra ætatem extiterit, & dñs suus custo-  
diam terrarū, & tenementorum suorum habue-  
rit, si dominus ille dicto heredi, cum ad legi-  
timam ætatem peruenerit, terram suam sine  
placito reddere noluerit, heres ille terram  
suā p assisam mortis antecessoris recupabit,  
vna cum dampnis suis, quæ sustinuerit ppter  
detentionem illam a tempore quo fuit legi-  
timæ ætatis. Et si hæres aliquis tempore mor-  
tis antecessoris sui plenæ ætatis fuerit, & ille  
hæres apparens, & pro hærede cognitus &  
inuentus sit in hæreditate illa capitalis do-  
minus cum non eijciat, nec aliquid sibi capi-  
at, vel amoueat, sed tamen inde simplicem  
seisinam habeat p recognitione dominij sui  
vt p dño cognoscatur. Et si capitalis dominus  
huiusmodi heredē extra seisinam maliciosē  
teneat, ppter qd bñe mortis antecessoris, vel  
consanguinitatis oporteat ipsum impetrare,  
tunc dampna sua recuperet sicut in assisa no-  
uæ disseisinæ. De hæredibus autem, qui de  
dominū Rege tenent in capite, si obseruandū  
est, vt dñs Rex primam inde habeat seisinam,  
sicut prius inde habere consuevit. Nec hæres  
nec aliquis alius in hæreditatē illā se intrudat,  
priusquā illā de manibus dñi regis recipiat,  
prout hñmodi hæreditas de manibus ipsius &  
antecessorū suorū recipi consueuerit tempo-

## Marlebridge.

tribus elapsis. Et hoc intelligatur de terris & feodis, que ratione seruitij militaris, vel ser-  
ieantiz, siue iuris patronatus in manibus dñi  
regis esse consueuerunt. *Vide Prærogatiua*  
*cap. 3. Et Glanuil. lib. 7. cap. 9. fol. 4.*

*Wardes 8. cap. 18.*

Prouisum est insuper, qđ si terra, que tene-  
tur in Socagio, sit in custodia parentis hæred,  
eo quod hæres infra ætatem extiterit, custodē  
illi vastum facere non possunt, nec venditi-  
onem nec aliquam destructionem de hære-  
ditate illa, sed saluo eam custodiant ad opus  
dicti hæred, ita quod cum ad legitimam æta-  
tem puenerit, sibi rñdeant de exis dictæ hæ-  
reditatis, per legalem computationem, sal-  
uis ipsis custodibus rationabilibus misis suis.  
Nec etiam possunt dicti custodes maritagiū  
dicti hæredis dare vel vendere, nisi ad com-  
modum dicti heredis: sed parentes dicti hæ-  
red propinquiore, qui huiusmodi custodiam  
habuerint, a toto tempore illo à quo breuia  
non conceduntur implacitandi, huiusmodi  
custodias habeant ad commodum hæredum  
ut prædictum est, sine vasto, vel exilio, vel de-  
structione facienda.

*Amercement 2. cap. 19.*

Nullus Escactor, vel Inquisitor, aut Iustic'  
ad assisas aliquas specialiter capiendas assig-  
natus, vel ad querelas aliquas audiendum &  
terminandum, de cætero habeant potestatem  
aliquam amerciandi pro default communis  
summonitionis, nisi capiūt Iustic', vel Iustic' i-  
tinerantes in itineribus suis.

*Essoine*

*Essoine 2. cap. 20.*

De Essonijs autem prouisum est, quod in eorū, hundred, aut in curia baronū, vel alijs curijs, nullus habeat necesse iurare pro essonlo suo warrantizand. *Vide Glanvill lib. 1. cap. 12. fol. 4.*

*Faux iudgement 1. cap. 21.*

Nullus de cetero (excepto dño Rege) teneat placitum in curia sua de falso iudicio facto in cuius tenū suorum, quia huiusmodi placita specialiter spectant ad coronam & dignitatem domini Regis.

*Repleuin 1. cap. 22.*

Prouisum est etiam, qđ si aueria alicuius capiantur, & iniuste detineantur, Vic' post queremoniam inde sibi factam, ea sine impedimento vel contradictione eius qui dicta aueria experit, deliberare possit, si extra libertates eapta fuerunt. Et si infra libertates capta fuerint hñodi aueria, & balliui libertatis, ea deliberare noluerint, tunc vic' p defectu ipsorum balliuorū ea faciat deliberari.

*Freehold 1. cap. 23.*

Nullus de cetero possit distringere libere tenentes suos ad rñdendū de libero tenemto suo, nec de aliquibus ad liberum tenū suū spectantibus, nec iurare faciat libere tenētes suos contra voluntatem suam, quia hoc nullus facere potest sine pcepto domini Regis.

*Accompt 1. cap. 24.*

Prouisum est etiam, quod si Balliui, qui compotum suum dominis suis reddere tenent, se subtraxerint, & terras vel tenementa

## Marlebridge.

non habuerint, p quæ distringi possunt, tunc per eorum corpora attachientur, ita quod vicecomes in cuius balliua inueniantur, eos venire faciat ad compotum suum reddend.

*Wardes 3. cap. 25.*

Item firmarij temporū firmarum suarū vastum, venditionē, vel exiliū non faciēt de domibus, boscis, vel hominibus, nec de aliquibus ad tenementū qđ ad firmam habent spectant, nisi specialem inde habuerit concessionem p scriptū conuentionis mentionē faciēs quod hoc facere possunt. Quod si fecerint, & sup hoc conuincātur, dampna plena restituant, & p misericordiā grauius puniantur.

*Iustices in Eyre. cap. 26.*

Iusticiarij itinerantes de cetero nō amercient villatas in itinere suo, p eo qđ singuli xij. annorū non venerint coram Vicecomitibus & Coronatoribus, ad inquisitionem de roberijs, incendijs domorum, vel alijs ad Coronam spectantibus faciend. Dum tamen de villaris illis veniant sufficientes, per quos inquisitiones hūodi plenē fieri possunt, exceptis inquisitionibus de morte hominis faciend, vbi omnes xij. annorum venire debent, nisi rationabilem causam habeant absentiæ suæ.

*Murder 1. cap. 27.*

Murdrum de cetero non adiudicetur coram Iusticiarij, vbi infortunium tantummodo adiudicatū est, sed locum habeat murdrū de interfectis per feloniam tantū, & non aliter.

*Voucher 1. cap. 28.*

Prouisum est, quod nullus qui coram Iusticiarij

clari itinerantibus vocatur ad warrantum in placito terrarum, vel tenentium, amercietur de cetero, pro eo quod presentis non fuerit quando vocatur ad warrantum (excepto primo die aduentus Iusticiarum ipsorum) sed si *Warrantum* ille fuerit infra comitatum, tunc iniungatur vicecomiti, quod ipsum infra tertium diem, vel quartum (secundum locorum distantiam) faciat venire, sicut in itinere Iusticiarum fieri consuevit. Et si extra comitatum maneat, tunc rationabile habeat summonitionem xv. dierum ad minus, secundum discretionem Iusticiarum & legem communem.

*Maineprise and baile 1. cap. 29.*

Si Clericus aliquis pro crimine aliquo, vel retro, quod ad coronam pertineat, arrestatus fuerit, & postmodum per preceptum domini Regis in ballium traditus fuerit vel replegiatus extiterit, ita quod hiis quibus traditus fuerit in ballium, eum habeant coram Iusticiariis, non amercientur de cetero illi quibus traditus fuerit in ballium, nec alij plegii sui, si corpus suum habeant coram Iusticiariis, licet coram eis propter privilegium clericale respondere noluerit, vel non potuerit propter Ordinarios suos.

*Monasteries &c. r. cap. 30.*

Prouisum est, quod si depredationes, vel rapini aliqui fiant Abbatibus, Prioribus, vel alijs Prelatis ecclesiasticis, & ipsi ius suum de huiusmodi depredationibus prosequentes morte proueniantur, antequam iudiciu inde fuerint assequuti, successores eorum habeant actionem



## Marlebridge.

actiones ad bona Ecclesie sue de manibus huiusmodi transigere repetend. Similem insuper habeant actionem success. de his quæ domini sue & ecclesie recentè ante obitum p.decessorum suorum per huiusmodi violentiam fuerint subtrahita, licet prædicti p.decessores sui ius suum psecuti non fuerunt in vita sua. Si autem in terris & tenementis huiusmodi religiosorum, de quibus eorum Prælati obierint seisis, ut de iure ecclesie sue, aliqui se intrudant tempore vacationis, successores sui bfe habeant de seifina recuperand, & adiudicentur eis dampna sua, sicut in nona disscifina adiudicari consuevit.

*Entris of writs 1. cap. 31.*

Prouisum est etiam, quod si alienationes illæ, de quibus breue de Ingressu dari consuevit, per tot gradus fiant, per quot bfe illud in forma prius vsitata fieri non possit, habeant conuerentes breue ad recuperandum seifinam suam, sine mentione graduum, ad cuiuscunque manus per huiusmodi alienationes, res illa deuenierit, per breue originale, & per commune consilium domini Regis inde prouidendum, &c.

Westm

## ¶ Westminster primer, xdit

*Anno 3. E. dw. primi.*

**C**eux sont les establissements le Roy Edward fils le Roy H. faits a Westminster, a son p<sup>z</sup>mer parliament general apres son coronement, lendemain de la cise de Pasche, lan de son raigne 3. per son Conseil, & p<sup>z</sup> assentments des Archeuesques, Euesques, Abbes, P<sup>z</sup>ioz, Comites, Barons, & tout le Communalite de la ter<sup>r</sup>e illou<sup>z</sup>s summones: Pur ceo q<sup>z</sup> nostre Seignioz le Roy ad grand volunt & desir de l'estate de son Realme redresser en les choses ou mestier est damendement, & ceo pur le common profit de saint Eglise, & de son Realme, & pur q<sup>z</sup> l'estate de son Realme, & de saint Eglise ad esse malement garde, & les Prelates & Religions de la terre en mults des maners grieues, & le people au<sup>r</sup>teriment treit q<sup>z</sup> eist dūst, & la pece meines garde, & les lepes meins vles, & les misse<sup>r</sup>lants meins punies, q<sup>z</sup> estre dūssent, p<sup>z</sup> quoy les gens de la ter<sup>r</sup>e doubterōt meins a mis<sup>r</sup>faire: cy ad le Roy ordeine & estable, les choses sounscripts, les q<sup>z</sup>ux il entend desirer p<sup>z</sup>itables & couenables a tout le Realme.

Monasteries 2. cap. 1.

En p<sup>z</sup>imes voit le Roy & commande, q<sup>z</sup> la pece de saint Eglise, & de la fre, soit bien garde & mainteign<sup>z</sup> en touts points, & q<sup>z</sup> cōmon droiture soit fait a touts, auxy bien as p<sup>z</sup>oners, come as riches, sans regard de nul.

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luy. Et par ceo que les Abbies, & les mea-  
 sons de religion de la terre, ont este surchar-  
 ges & greues malement, per le venne des  
 grandes gentz & dauters q̄ lour biens ne  
 suffisont a eux mesmes, per q̄ les religieux  
 sont ci abates & imponers, que ilz ne potent  
 eux mesmes susteign̄, ne la charge de cha-  
 rite quilz soient faire. Pur ceo est q̄ nul  
 ne veigne manger, herberger, ne giser a  
 meason de religion dauter auowson, q̄ de la  
 laine, si costages de la meason, si ne soit  
 prie & requise specialment per le gouverneur  
 de la meason, avant q̄ il veigne. Et que nul  
 a les costages demesne, ne ent̄, ne veign̄ gi-  
 ser encouter la volunt̄ ceuz de la meason.  
 Et p̄ cel estatute nent̄ pas le roy, q̄ grace  
 de hospitalite soit suffreit as besoignes, ne q̄  
 les auowes ds measons lez puissent p̄ lour  
 son̄t venues surcharger ne destruer. Pur  
 ceo est ensemble, q̄ nul grand ne petit, per  
 colour de parent̄, ou de specialite, ou p̄ ant̄  
 assistance, ne per aut̄ encheison, ne courge en  
 aut̄ parke, ne pesche en aut̄ biuer, ne veign̄  
 manger ne herberger, en meason, ne en ma-  
 nour, ou en meason de Prelate, ne de home  
 de Religion, ne daut̄, encouter la volunt̄  
 le seignior, ou le baillif, de costages le seig-  
 nior, ne a son cost demesne. Et si veigne, ou  
 enter p̄ le grē, ou sans le grē le seignior ou  
 le baillif, nul sarure, huis, ne fenestre, ne nul  
 maner de ferme ne fait ouer̄, ne de pecher  
 per soy, ne per aut̄, ne nul maner de vitail  
 ne aut̄ chose p̄eign̄ per colour de achate,

ne

ne auterment. Et q nul face barter blai, ne  
 pprendre blai, ne nul maner de vitaille, ne les  
 auts biens, de nulluy pzeinte, hbe de West-  
 gion, ne de auter, ne de clerke, ne de lay, per  
 colour de achate, ne auterment, enconter la  
 [bone] volut, e le conge de celuy, a q la chose  
 serra, ou de gardein, deins ville merchon-  
 dise, ou dehoys. Et que nul pzignh chmols,  
 boses, chares, ne chareys, nefs, ne bateux,  
 ne auts choses affaire cariage, sans le bone  
 volut de celuy, a q les choses serront. Et  
 si il per la bone volunt de celuy le face, loys  
 maintenant face son greé solong le couenat  
 fait enter eux. Et ceuz q bidzont enconter  
 les establissemets anandits, e de ceo soient  
 attaintr, soient atudges a la pison le roy,  
 e dillonqz soient rentes, e punies solong  
 la quantity e le maner du trespas, e solong  
 ceo q le Roy en la court veler q bien soit.  
 Et soit assauer, que si ceuz a q le trespas fust  
 fait, voillent fuer les damages, que ils auet  
 resceux, lour serf agard e restoz au double.  
 Et ceuz q le trespas aueront fait, soient ense-  
 ment punies int le maner auardit. Et si nul  
 ne voille fuer, eit le roy la suit, come de chose  
 fait enconter son defence, e enconter la  
 pece. Et le Roy fra endre de an en an, si  
 come il quibza q bien soit, qur gentz eyent  
 tiel trespas fait. Et ceuz qur serrnt endites  
 p ceuz enqts, serront attaches e distreigh  
 p la grand distresse, de veler a certain tour,  
 que conaigne le space dsu moyz en la court  
 del roy, la ou luy plerra. Et si ceuz ne beignt  
 a cel

## Welsh primer.

a cel tour, ils seront auterfoits de recherche  
 distreich y mesme disti, de bener a un auter  
 tour, q̄ conteign le space de vij. semaines.  
 Et si ceuz adonq̄s ne beignēt, soient abind-  
 ges come attaintes, & rendent le double  
 (per le suite del Roy) a ceuz queur le dām  
 auerant rescour, & soient greument rentes,  
 solong le maner del trespas. Et le Roy de-  
 fende & commande, q̄ nul desozmes ne face  
 male, dām, ne grevance a nul home de Reli-  
 gion, pson de saint Esq̄lis, ne a auter, p en-  
 cheson de ceo q̄ ils epeut deny l'hostelt, ou  
 le manger a nullay, ou per encheson de ceo  
 q̄ aucun soy pleint ou court, de ceo q̄ il soit  
 greue des alguns choses auātdit, & si ascū  
 le face, & de ceo soit atteint, soit incurte le  
 peine auātdit. Et est parniēw q̄ ces points  
 auātdits lient auxibien no<sup>r</sup> counceillors,  
 Justices del sozest, & auter no<sup>r</sup> Justices,  
 come aus s̄ gents : Et q̄ les points auātditz  
 soient maindeignes, gardes, & tenus. Et de-  
 fende le Roy sur la greue sozesture, q̄ nul  
 Prelate, Abbe, Prior, home de religion, ou  
 baillife dascū de euz, ou del aus, ne rescieue  
 nul home enconter la forme auātdit. Et  
 q̄ nul enuoy au meālō, ne au manoz de reli-  
 gion, ne de aut hōe, gents, chivalr, ne chiēs  
 a sojourē, ne nul lez rescieue. Et q̄ le fra, p̄  
 ceo q̄ est enconter le defence & le commāde-  
 mēt le Roy, il serra puniū greuemēt. Un-  
 coze est parniēw, q̄ le M<sup>r</sup> ne herbergēt oue  
 nullay, oue q̄ plus q̄ v. ou vij. chivalr, ne q̄  
 ils ne greuent la gentes de Religion, ne  
 auter

ant p leur sonet benier, ou giser a leur meuz  
sons, ne a leur manozs.

Clergie 1. cap. 2.

**E** Paruicho est ensement, q qst Clerke  
est puse p reits de felony, & il soit demande  
per Lordinary, il luy soit liuer, solong le  
pymildge de saint Eglise, en tiel peril cōs  
ils appent, solong le custome avant ces  
heures use. Et le Roy amonist les Pre-  
lates, & eux entoine en la foy q ilz luy doiēt,  
& p la common profit de la pece de la tert,  
que ceux q sont endites de tiel reite per so-  
lempne quastes des probez homes fait en la  
court del Roy, en nul man ne les delissent  
sans due purgation, issint q le roy neit me-  
stier de mitter anter remedy.

Escape 1. cap. 3.

**E** Paruicho est ensemet, q nul rien des  
sozmes soit demande, ne puse, ne lente per  
Wicount, ne per anter, p escape de laron, ou  
felon, lescz a tant que lescap soit abindge  
per Justices errants. Et q anterment le  
setra, cy rendra a celui, ou a ceux q tiel as-  
ont pay, qst q il as puse & rescoue, & au roy  
au tant.

Wrecke 1. cap. 4.

**E** De wyche de mere, est accorde, q la  
ou home, chien, ou chatte, escape vives hozs  
de la niese, la niese ou batell, ou nul rien, q  
la eins fuit, ne soit [abindge] wyche, mes  
soient les choses saues & gardes per le bism  
del wicount, cozoff, ou alios, & del bishp le roy,  
& batles en ley maines ceux de la bill, ou lez  
choses

## Westm. primer.

choses sont trouues, issint q̄ si nul sure les biens, & puit prouer q̄ ils soient, ou a s̄ seignieur, ou en la garde p̄ris, deins lan & le sont, sans delay lux soient rendus: sinon, remaigne au roy. Et soient prises per le viz & Cozoners, & bailes a la ville s̄ respoigt devant Justices de wyeche q̄ appent a roy. Et la ou wyeche appent a auter q̄ au Roy, ci le eit p̄ messm̄ le maner. Et q̄ auter soit fra & de ceo soit attainit, soit agarbe al prison, & rent al voltant le roy, & redz les dāms enlement. Et si le baille le face, & soit disauoto de son s̄r, & le s̄r ne ottete de troxlay, respoigt le bayliff, al eit de quoy, & si nelt de quoy, rendra le s̄r le corpz du baille au roy.

### Election 1. cap. 5.

**E**t s̄ ces q̄ elections doiēt estē franchises, q̄ defend le roy sur la grete soyleiture, q̄ nul hault home, ne an̄, p̄ popar des armes, ne per manaces, ne disturbe ne faire franke election.

### Amercement 3. cap. 6.

**E**t que nul city, borough, ne ville, ne nul home soit amerce sans resonabl encheson, & solong le quantity del trēs, s̄ franke home lane s̄ conteneūt, merchant sans son merchandize, & villein sans son gainage, & ceo per lonr p̄res.

### Pursueiours 2. cap. 7.

**D**es p̄sez des Constables, ou Castellains, faits des auters q̄ des gentz de la vill, ou la castles sont assise. Pur nich est, q̄ nul collab̄ ne castelain de loymes nul man  
de

de prise ne face dauter home q de la ville ou  
son castle est assise, & ceo soit paie, ou gree  
fait deins xl. iours, si ceo ne soit anciēt prise  
due au Roy, ou a castle, ou al Seignior del  
castle.

Beaupleader 2. cap. 8.

**E**t que nul rien soit pris p beauplea-  
der, sicome autrefois fut defendu en temps  
le Roy Henry, pter le roy q oze est, [Marle-  
bridge cap. 11.

Robberie 1. cap. 9.

**E**t par ceo que la Peace de la terre ad  
estre foiblement gardē avant ces h. ires, p  
defait de bone fait fait sur les felons solong  
due maner, & nolenit p encheson des fran-  
chises ou les felons sont rescues: Puruew  
est, q tous cōmunement soient prises, & apa-  
tailes, ou commandement & a les lunnions  
des biconts, & au cri de paps, de luer & ar-  
restē les felons, qnt mestier serra, auxibien  
deins frāchises come dehozs. Et ceux q ces  
ne ferront, & de ceo soient attaintes, le Roy  
pndra a eux grēnement. Et si default soit  
troue en le sūr de la franchise, le roy le pē-  
dra a m le franchise. Et si le default soit troue  
en le baillise, eit lēpisonmēt dū an, & puis soit  
grēnement rente, & si neit de quop, eit lēpzi-  
sonmēt de ij. ans. Et si Uir, Cozoner, ou aut  
baillif deins franchise, ou dehozs. p lower ou  
p prier, ou p poies, ou p nul man dāffinitie,  
concelent, consentēt, ou pcurēt de concelet,  
les felonies faits en leur baillies, ou autre-  
ment, se teignent attacher, ou arrester les



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misselants per la ou ils purt, ou auterment  
se seignent de faire leur office, en nul maner  
de fauour des misselants, & de ceo soient at-  
taines, q̄ ils eient lenpisonnement d'un an, &  
puis loient greüement rentes a le volunt  
le Roy, s'ils eient de quoy, sinon, epent l'epi-  
sonnat de iij. ans.

Coroners i. cap. 10.

**E**t par ceo q̄ petits gents meins sages  
soient esliez oze de nouel communement al  
office de Coroner: & mestier serroit q̄ p̄obes  
hommes loiaiz & sages se intermettent de cel  
office: Puruew est, q̄ per tous les coun-  
ties soient esliez suffisant homes Coroner,  
des plus loiaiz & plus sages chivaliers,  
q̄ur meins sachent, puissent, & voient a cel  
office entendr, & que loialement attachent &  
representent les p̄ces de la corone. Et que  
le Vicont est conter rolles oue les Coroner,  
surp̄bien des appeales, come des enq̄tes, de  
attachments, ou des autres choses, que a  
cel office appendent. Et q̄ nul Coroner ri-  
ens d'ice, ne p̄eign de nullay p̄ faire son of-  
fice, sur pain de la greüe forfeiture al Roy,  
[14. E. 1. Stat Coroner]

Odio & atia i. cap. 11.

**E**t par ceo que plusieurs reintes de mort  
de home, & q̄ sont culpable de meisme le mort  
sont (per fauorables enquestes, p̄ises per  
visconts & per d'ice le Roy q̄ est appell Odio  
& atia) repleues, lesq̄s a le venue des Ju-  
rices errants: Puruew est, q̄ tel enq̄tes  
loist desormais p̄ises p̄ p̄bes homes, esliez  
per

per serement, dont les deux soient a meins  
chivaliers, q p nul affinitie, touchent a les  
prisoners, ne auermēt ne soient suspectio.  
[Glo. r. 9. West. 2. c. 29.]

Felonie 1. cap. 12.

**E** Purvis est ensment, que les felons  
escries, a qur sont apertmēt de male fame,  
e ne soy voient mitter en enquestes des fe-  
lonies q home mette sur eux devant Justis  
ces a la suit le Roy, soyent mises en la pr-  
son soit e dure, come ceux qur refusent est  
al cōmon ley de la terre. Mes ceo n'est mys  
a entēd pur prisoners q sont prises p legier  
suspexion.

Rape 1. cap. 13.

**E** Et le Roy defende, que nul ne raitle ne  
pzeigne a force damasell deins age, ne p la  
gree, ne sans sa gree, ne dame ne damasell  
de age, nauter feme manger le soen. Et si  
bi le face, a le suite celuy q suera deins les  
40. iours, le Roy luy fra cōmon droiture. Et  
si nul cōmence la suite deins les 40. iours, le  
Roy suera, e ceux qur il trouera culpables,  
ils aueront la prisonment de ij. ans, e puis  
seront rentes a la volant le Roy, e s'ils  
neient dont estre rentes, soient punies per  
plus longe prisonment, solong ceo q le tres-  
pas demande.

Appeales 1. cap. 14.

**E** Et p ceo q home ad ble en aucun pays  
de vilager les gentes appeales de cōmāde-  
ment, soit ce, etō, ou de receipte, deins m la  
terme, q hōe doit vilager celuy q est appell  
de

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de fait: Puruew est e commande per le  
 Roy, q nult ne soit vtlage pur appell de ch-  
 mandemēt, force, aide, ou de receiptist, lesoz  
 a taunt q lappelle del fait soit attaint, scint  
 que vn mesm ley soit de ceo per tout la terre,  
 mes celuy q voit appeller, ne le ska pas pur  
 ceo de attacher son appell, el pcheine coun-  
 tie vers ceux, auxibien come vers les appela-  
 les vn fait: Mes l'exigent de euz demurge  
 tang les appellees de fait soient attaintes p  
 vilagarie, ou auterment.

Maineprise 2. cap. 15.

**E**t pur ceo q viscounts, e auters, qur  
 sont pziles e retenus en pzison, gēs rettes  
 de felonie [e] meint soits ont leste p reple-  
 uin les gents, qur ne sont my repleuisables,  
 e ont detenus en pzison ceux qur sōt reple-  
 uisables, p enchelon de gaigñ des vns, e de  
 greuer les auters, e pur ceo que auant ces  
 heures ne fait my determine [certainment]  
 qur gentes fussent repleuisables, e queux  
 non, soz pzis ceux queux fussent pziles pur  
 mozt de home, ou per comandmēt le Roy,  
 ou de les Just. ou pur la force: Puruew  
 est, e per le Roy commande, q les pzisoners  
 queux sont auant vtlages, e ceux qur eyent  
 forinre la tert, pzonours, e ceux qur sont  
 pziles oue maner, e ceux queux ont debzuse  
 la pzison le Roy, la rons apertmēt elcres e  
 notozies, e ceux que sont appellees des pzo-  
 nours tang come les pnours sont en vie,  
 (sils ne soient de bone fame) e ceux qur sont  
 pziles pur arson seloncounment faire, ou pur  
 sanz

four money, ou fauzer le Seale le Roy, ou  
 excommenge prise per pzet Leueles, ou pur  
 appiert meluett, ou pur Treason q touche  
 le Roy meisme, ne soient en nul maner reple-  
 uisables p le cōmon bfe, ne sans bfe: Mes  
 ceux qur sont endictes de Larceny per en-  
 tēs des visconts, ou des bailifes pries de  
 leur offices, ou pur legier suspicion, ou pur  
 petit larceny, q namount ouster le valur de  
 xij. deniers, s'ils ne soient rettes d'ant l'ar-  
 ceny, denāt cel heure, ou rettes de receipant  
 des larens, ou des felons, ou de cōmande-  
 ment, ou de la force, ou del aide de le felonie  
 fait, ou rettes d'ant trīs, pur le q l'un ne  
 doit perdre vie ne mēber, & home appell de  
 pzonour puis la mort le pzonour, si ne soit  
 apert laron escrie, soit delozimes l'esse p suffi-  
 sant pleuin, denant le vicont, dont le viē voif  
 respond, & ceo sans rien doif de leur biens  
 pur la pleuin. Et si le viē ou aut lessent per  
 pleuin vil, que ne soit repleuisable, si ceo soit  
 viē, constable, ou aut bailif de see q ait gard  
 de pziſons, & de ceo soit attain, perdf le see &  
 baillie a tonts iours. Et si soit south viē,  
 constable, ou bailife, a celui q ad tuel see pur  
 garder les pziſons, & ait ceo fait sans la vo-  
 lunt son seignior, ou auter bailife que ne soit  
 de see, eit le pziſonmēt de 3. ans, & soit rent  
 a le volunt le roy. Et si vil deteigh lez pziſo-  
 ners repleuisables, puis q le pziſon eit offre  
 suffisant suerty, il sert en le greue mercie le  
 Roy. Et si pzent lof pur luy deliuerer, il  
 rendra le doubt au pziſoner, & ensemēt sera

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en le grante mercie le Roy. De Finibus le-  
uatis, 27. E. 1. cap. 13.

Distres 5. cap. 16.

Si cert in un  
county soit re-  
pus de moy en  
auter countie,  
seignior poit  
distre par ser-  
vice, & a mess  
al moy en aut  
County.  
1. H. 6. 3.

**E**n droit de ceo q̄ aucun gents p̄nont,  
& p̄endze sount les auers des auters, & les  
chalent hozs del Countie ou les auers fue-  
ront prises : Puruieu est, q̄ nul desozmes  
ne le face, Et si vl le face, soit greuemēt rente  
solongz ceo q̄ est contenue en les estatutes  
de Marlebr cap. 4. faitz en tēps le Roy H.  
pier le roy q̄ ore est. Et per m̄ le maner soit  
fait de ceuz, q̄uz parnont les auers a tort, &  
q̄uz sont distres en aut ser, plus grenement  
soient puntes, si le maner de trespas le de-  
mand. Marlebr 1. cap. 15.

Distres 6. cap. 17.

**E** Puruieu est ensemeēt, q̄ si vl desozmes  
p̄zeigh les auers des auters, & les face chale  
en chasteil, ou au forcelet, & illonq̄z dedeins  
le chose du chasteil, ou de forcelet les detreigh  
encounter gage & p̄ledge, pur que les auers  
serront solempnement dōes per vif, ou per  
auter baille le Roy a la suit del pt, le vif ou  
le baille p̄ise oue lay popar de son countie,  
ou de la baille, & vo: le assaier de faire de ceo  
rept des auers a celui q̄ les auer p̄ise, ou a  
son s̄ir, ou as auers des homes son seignior  
qui unq̄ q̄uz sont troues en le lieu, ou les  
auers fueront enchales. Et si home lay de-  
force addōq̄z de la deliuerance des auers, ou  
q̄ ne troue home pur le s̄ir, ou pur celui q̄  
les auer p̄ise q̄ respōigh & face le deliuerāce,  
ap̄es ceo q̄ le seignior, ou parnour, per vif  
ou

ou per bailife, lerra admonist de faire la deliuerance, si soit en pays, ou pzen, ou la ou il pourra, per le parno, ou per auters des frs couenablement estre garnie de faire le deliuerance, si soit hors de cel pays quant le prise soit fait, & ne face adonqz maintenant les auers deliuer, que le Roy pur le trespas & pur le despote, face abate le chaste ou le fozelet sans recouerie, & touts les dains q le pt auer rescene de les auers, ou de son gainage disturbe, ou en auter maner puis le primer demand des auers fait per le bi, ou per le bailife, luy soient restozes ou double, de seignioz ou de celuy q les auers auer prise, si eit de quoy, & si nett de quoy, respougn le seignioz q l heure, & en quel maner deliuer soit fait apz ceo q le viscont ou le bailife lerra venue pur la deliuerance faire. Et soit a scauoir, que la ou le bi deuef fait retourne del bziese le roy au bailife le seignioz du chaste, ou le fozelet, ou a auter a que retourne de bziese le roy appent, si le bailife de cel franchise ne face le deliuerance, puis q le bi auer retur a luy fait, face le viscont son office sans delay, et sur lauantdit peine. Et per m le maner soit fait la deliuerance p attachment le pleint fait sans bziese, et sur mesme le peine. Et ceo face a entendre per tout la, ou le bee le roy court. Et si ceo soit en la marche de Gales, ou aillors, la ou le bi le Roy ne court my, le Roy q est souveraigne seignioz la, fra dyoit a ceuz qz pleindze se houbzont.

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Iustices in Eire 2. cap. 18.

**E** Par ceo q̄ la common fine e amercesse de tout le Countie en cyze des Justices pur faire iudgements, ou pur auer trespass, est asselle p̄ vie e barretors des counties malesmet, issint q̄ la somme est meintsoits encroe, e les porcelz autrement asselle que estre ne duissent, au dām des people, e plusors soits sont pates as biconts e barretors, que ne poient les acquitent. Purm̄ est, e voit le Roy, que desloymes en cyze des Justices devant eux, devant leur departure soit tuel somme asselle per serent de chivalers e des probes homes, sur tous p̄ceurs q̄ escoper denenerunt, e les Justices facent auer les parcelz en leur estreates que ils liuerent al Elchequer, e non pas la somme total.

Deute al Roy 3. cap. 19.

**E** En droit vs vie, ou auis q̄ux respoign per leur maines al Elchequer, e q̄ux ont rest de lez deus le Roy, pier le Roy q̄ oze est, ou les deus le Roy m̄ auant ceuz henies, e queux ne ont my acquit de ceo les detours al Elchequer: Purm̄ est, que le Roy ennoiera bones gentes per tous les costies, e oyer tous p̄ceurs, q̄ux de ceo pleine se voudront, e a terminer issint la besoign, q̄ ceuz q̄ pourront m̄er ils eient issint auāt pates a tous iours (en) serront quites, le q̄l que les bichs au auis serront moztz ou bines, en certaine sozme q̄ leur ser̄ bail. Et ceuz q̄ issint namer̄ fait, s̄iz soient en vies, serront punies greuem̄. Et s̄iz soient moztz, leur heirs

heires respoiſſi, & ſoient charges de la dette.  
**E**t command le Roy, q̄ les viconts, & les  
 autres auantdis, de lozmes loialmēt acqui-  
 tent les dettoz a prochain accoupt, puis q̄  
 ils aueront le dette reſceiue : & donq̄ ſoit le  
 det allowe al Eſchequer, iſſint q̄ iâmes ne  
 veigi en ſummoſi. Et ſi le viē auement face,  
 & de ceo ſoit attain, cy rendza al pl̄ le treble  
 de ceo q̄ il auer de luy reſceiue, & ſoit rent a  
 le volunt le Roy. Et bñ ſe garde cheſcun vi-  
 cont, q̄ il eit trel reſcemoz, pur q̄ il vouldza  
 reſponder, car le Roy ſe p̄rendza del tout as  
 viconts, & a leur heires. Et ſi aut q̄ respoiſſi  
 p̄ la main al Eſchequer le face, al rendza le  
 treble al plaintif, & ſoit rent en m̄ le maſi. Et  
 q̄ les viē ſacent taples a tous iceus, queux  
 paieront le det le Roy. Et que la ſummons  
 deſchequer a tous les debtoz, q̄ux deman-  
 der vouldzont la vieſw, ſacent monſtrer ſans  
 denier les a nulluy, & ſans rien p̄rendre de  
 loſwer, & ſans rien doſi, a q̄ ne le fra, le Roy ſe  
 p̄rendza a luy greusement.

Foreſt 18. cap. 20.

**P**ourueu est enſement de miſſenſoiz  
 en parkes, & en biuers, que ſi bl̄ de ceo ſoit  
 attain p̄ le ſuit del plaintife, ſopent agardes  
 bones & haut amends, ſolong le maner nel  
 trespas, & eit la p̄ziſonment de trois ans, &  
 diſlong ſoit rent a le volunt le Roy, ſil ad de  
 quoy poit eſtre rent, & loz troua bon ſuer-  
 tie q̄ il iâmes ne miſſace. Et ſi neit dont  
 poit eſtre iſſint cente, ap̄es la p̄ziſonment de  
 trois ans, troua meſme le ſuertie. Et ſi ne  
 puiſſe



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puisse trouver la suerty, forsauf la Realme. Et si bl de ceo rette soit fugitive, & neit terre ne tenement suffisant pur quoy il poit estre iustifie, ci court come le Roy auera ceo trouue p bone enquest, soit demand de countie en countie. Et si ne veigne, soit vilage. Pur dieu est enlement & accorde, q si bl ne fust deins an & le iour pur le trespas fait, le Roy auera le fait, & ceux q il trouue de ceo rettes p bon enquest, seront punies p m le maner en tous points, sicome deuis est dist. Et si bl tiel melleisoz soit attain, quil eit prise en ses parkes bestes domestiques, ou aus chose en la maish de robberie en venant ou demurrant, ou en returnant, soit fait de luy comon ley, q assiet a celui que est attain de appt robberie & larceny, auxy bien a la suit le Roy come dauter.

## Wardes 9. cap. 21.

¶ En doit des terres des heires deins age, queux sont en le gardiour. Deignioz : Pur dieu est, q les Gardeins les gardent, & sustinent, sans destruction faire en tout rien : & que de tiels manners des Gardes soit fait en tous points solong ceo q est conteigne en la grand Charter des franchises fait en temps le Roy H. pier le Roy q ore est, Mag. char. cap. 4. 5. & 6. Et q ilint soit ble desozmes, & p m le maner soient gardes les Archiesqz, Euesqz, Abbies, Eglises, & dignities en temps de vacation. Vide Articul super chartas cap. 18.

Warden

Wardes 10. cap. 31.

**¶** Des heires maries deins age, sans le gre de leur gardeins, auāt q̄ ilz auerēt passes lage de xiiij. ans, soit fait selonc ces q̄ est contenue en le purueyance de Werton cap. 6. Et de ceuz q̄ seront maries sans le gre de leur gardeins puis que ils aueront passes lage de xiiij. ans, le gardein eit le double daine de son mariage, selonc le tenour de mesme le purueyance. Ouster ces ceuz q̄ aueront sustret le mariage, eſdant le droit value del mariage al Gardein par le trespass, & salement le Roy eit les amendes selonc mesme le purueyance de celui que le auet sustret, Westm 2. cap. 35. Et des hees females, puis q̄ ils aueront accomplies lage de xiiij. ans, & le seignior a q̄ le mariage apert celes ne bondza marier, mes par conseil de la terre, les bondza tener dismarie. Puruey est, que le Seignior ne poist auer ne tener p̄ encheson del mariage, les terres a t̄leix hees females oust̄ deux ans ap̄es la terme de lauādit xiiij. ans. Et si le Seignior deins les deux ans ne les marie, donques epant eis actions de recoier leur heritage quietment sans rien doñ par le garb, ou par la mariage. Et si els par malice, ou par malueis conseil ne se voient par leur chiefe seigniorz marier, ou els ne sont disparages, q̄ les seigniorz teignent la ter̄ & la heritage tesq̄ al age del Enfant male, ceſſanoire, xxj. ans, & ouster, tesq̄ ils eiant p̄z̄is le value del mariage.

Deux

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### Deute 1. cap. 23.

**C**ourteisie est ensemble, q̄ en citie, burgh, ville, laire, ne en marche, ne soit nul home forrein, q̄ soit de cest Roialme, discretne pur dette, dont il nest dettour, ou pledge, e que le fra, sera greuousement punie, e sans delay soit le discrette deliū per les baillies du lieu, ou p auters baillies le Roy, si meſier soit.

### Aſſe 2. cap. 24.

**C**ourteisie est ensemble, q̄ nul Eschetor, Just, nauter Bapliste le Roy per colour de son office, sans especial garē ou commandement ou certaine anthozitie q̄ appent a son office, ne disseise nul home de son franktenement, ne de chole q̄ appent a son franktē. Et si aucun le fait, soit a la volunt le disseisee, q̄ le Roy de son office le face amēd a son pleint, ou q̄ il est la cōmon ley p bē de Nouel disceifin. E celuy q̄ sert de t̄ attaint, rēdē les dān a double a m̄ le pt, e serē en le greuous mercede le Roy.

### Champertie 1. cap. 25.

**N**ul minister le Roy, ne maintaine per luy, ne per auter, les plēs, parols, ou besoignes q̄ux sont en la court le Roy, des terres, tenements, ou des auters choses, pur aū part de t̄, ou aut p̄fit p conenāt fait. Et q̄ ne fra, soit punie a la volunt le Roy. Vide Champertie II. E. 1.

### Extortion 1. cap. 26.

**E**t q̄ nul Just, nauter minister le roy, ne ppeigne reward pur faire son office: mes  
soient

soient paies de ceo q̄ ils pernent del Roy.  
Et q̄ le fra, rendra le double al pt, & serra  
punie a la volunt le roy.

Extorcion 2. cap. 27.

**E**t que nul Clerke de iustice, deschetor,  
ou dendor, nul rien ne pzeigi pur linerer  
chapitrs, sozpris solemēt Clerks des Justs  
ces errants en lour cyes, & ceo q̄ s. & nient  
plus de chescun *Wapentake*, *Hundred*, ou  
*Wille*, que respoigne per xij. ou per vij. solow  
que ceo que auientement fuit blē. Et que  
auterment le fra, rendra le treble de ceo quil  
auera pzeise, & perdra le service son seignior  
per un an.

Maintenance 1. cap. 28.

**E**t q̄ nul Clerks le roy ne des Justices  
receiue disozmes pzeientment del Eglise,  
dont plen ou contehe soit en la court le Roy,  
sans speciall conge le Roy, & ceo defende le  
roy sur paine de perdrz lesgis & son service.  
Et q̄ nul clerke de Justice, ne de bicont, ne  
maintaine parties en quarels, ne besoignes  
q̄ux sont en la court le roy, ne fraud ne face  
pur common dzoiture delayer ou disturber.  
Et si vilt le fait, il serra punie per la paine  
pcheinement auantdit, ou p plus grienous,  
si le trespas le requiert.

Disceit 1. cap. 29.

**E**n *Warricw* est enseit, que si vl serleant,  
coantē, ou auter face vl maner de disceit,  
ou de collusion en la court le roy, ou consent  
de faire la, en disceit de la court, pur engis  
la court, ou la pty, & de ceo soit attain, doz  
puis

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[puis] est la prisonment dū an & un tour, & ne soit oye en la court le Roy a coster pur nulluy. Et si ceo soit aut q̄ cost, per mesme le maner est la prison dū an & iour a tout & meins. Et si le trespas demande greinder paine, soit a volūt le roy.

Extortion 3. cap. 30.

**E**t pur ceo q̄ multz des gentz le pleignent des sericantz, criours de fee, & les Marshals des Justices en eyre, & [danters Justices] quell's pernent a tort demiers de ceapqueun recourent seisin del terre, ou queun gaignont lour queteles, & de fine leme, & des turoz, villes, prisoners, & des autres attaches en ples de la Cozone, auferment q̄ faire ne duissent, en mults des maniers, & de ceo quil ad pl<sup>r</sup> grand number de ceux que este ne duist, per q̄ le peopple est malement greue; le Roy defende, que cestes choses ne soient disozmes faitz. Et si vit sericant de fee le face, office soit prise en le maine le Roy. Et si Marshals des Justices le facent, soient punis greuemēt a la volūt le Roy. Et a tous les plaintifcs li & leur. rendē le treble de cēo q̄ls auēt prise en celi maner.

Tolle 1. cap. 31.

**D**e ceux q̄ux parnont outragious tolme, enconter common blage du roialme en la ville merchandie: Duruew est, q̄ si vit le face en la ville le Roy mesme, q̄ soit baill & tē farne, le Roy prendra le franchise del marche en la maine. Et si soit auter vill, & cēo

ce soit fait per le seignioz de mesm la ville,  
le Roy le fex per mesm le maner. Et si soit  
fait per le baillife sans le commandement le  
seignioz, il rendra al plaintife au tant q le  
outragious prise, come il auoit prise de loy,  
si bnt impoxt son toine: & il aia prison del  
xl. iours. Des Citizens, & des Burges  
ses a que le Roy ou son pere ad grant ma  
rage pur leur villes enclofer, & que tiel ma  
rage parnent auterment q leur est grants,  
& de ce soient attaintes: Puruew est, que  
ils perdent cel grant de toutes le temps q  
sera a venir, & ierront en le grieno<sup>r</sup> mercy  
le roy.

Purueyours 3.

cap. 32.

**E** De ceux qur parnent bitail, on nul ri  
ens al oeps le Roy a creance, ou a garrison  
du chasteil, ou ayloz, & qst ils ont receus  
le payement al Exchequer, ou en Garde  
robe, ou ayloz, detaignont le paiement des  
creancers, a grand damage de eux, & en  
esclander du Roy: Puruew est, de ceux  
qur ont terres ou tenements, q maintenant  
soit ceo leue de leur terres ou de leur cha  
teux, & paies as creancers, ou les damna  
ges qur ils auont eue, & soient rentes p le  
trespas, & s'ils neient terres ne tenements,  
soient en le prison a la volat le roy. De ceux  
q pernent part des detz le Roy, ou auters  
lovers pernent des creances le Roy, pur  
faire le paynt de mesmes celles detz: Pur  
uiesw est, qu'ils rendent le double, & soient pri  
nies greueit a la volat le Roy. Et de ceux  
quens

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queux parnont chivals, ou charettes a faire le cortage le Roy, plus q mestier serroit, & perndt loyers par [releser] les chivals, ou les charettes. Purvie est, que si vl de la court le face, il sera grantement chalice per les Marshals, & si ceo soit fait hors de la court, [v bn del court] ou per auter q de la court, & il [ent] soit attainit, il rendra le treble, & serf en le prison le roy per xl. iours.

Countie & Tourne 3. cap. 33.

¶ Purvie est, q nul iur ne suffe barretoours, ne maintenaours des parols en counties, ne Beneschalles des grandes seignours, ne des auters (q ne soit Attozney son seignior) a [la] suit faire, ne rēder les iudgements des counties, ne pnoſcer les iudgements [ou assent le faire les iudgements] si ne soit especialmt prie & requise de tous les iutours, & les attoznes des iutours, queux seront a la court. Et si vl le face, le Roy le prendra grienousemt a viē, & a luy.

Newes 1. cap. 34.

¶ Pur ceo q plusors sont souent troues in counte controuours des countes, dont discord, ou maner de discord ad este souent entre le roy & son people, ou [ascūs de] les hantes homes de son roialm, deſcū est pur le damage q ad este, & q vncors ent purra a uenir, q delozmes null ne soit cy harde de dire, ne de cōf nulls faux nouel ou cōtrauoir, dōt discord, ou maner de discord, ou esclaundē puit sardze entē le roy & son peopl, ou les hantes homes de son roialme. Et qui  
le

le fra, soit pris, & detenu en prison lesq̃s a  
tant q̃ il ait trouue en court celui dont la poi  
serra moue. 3. R. 2. ca. 5.

Arrest 1. cap. 35.

**¶** Des hautes homes, & de leur baillifs,  
& des autres (forsq̃s les ministres le roy,  
ou queux (perill) authorite est done de ceo  
fait) q̃ a le plaint dez alens, ou per leur au  
thorite demesne, attachent autres ou leur  
biens trespasss passentes p̃ leur poier a res  
pōder devant eux des contraires, conengs,  
ou de trais faits hors de leur poier, & leur  
iurisdiction, la ou ils ne seignent riens de  
eux, ne deins le franchise ou leur poier est, in  
preiudice du roy, & de la cozone, s̃ a dān p̃s  
people: Durais̃ est, q̃ null desormes ne l̃  
face. Et si ascū le face, il rēdza a celui, q̃ per  
cel encheson serra attache, son dān ou dou  
ble, & serra en le griene merite le roy.

Reasonable aide 1. cap. 36.

**¶** Pour ceo que auant ceux heures ne fait  
vūq̃s reasonable aide a faire leigne s̃iz chi  
ual, ne a leigñ file marier mis en certais,  
ne q̃st ceo deueroit estre p̃ise, ne q̃l heure, p̃  
quoy les vns leuerēt outragious aide, &  
plus tost q̃ ne sebleit mestier, d̃st la people  
le sentit grēne: Durais̃ est, q̃ desormes  
s̃iz de chival entier soient s̃int dones 20. s.  
& de 20. l. de terre tenus p̃ locage 20. s. & de  
pluis, pluis, & de meins, meins, selonc la se  
tant. Et q̃ nul ne puisse leuer tel aide a son  
s̃iz chivalier, tanq̃s q̃ son s̃iz soit d̃l age  
de xv. ans, ne a la file marier t̃āq̃ que el soit  
del



## Westm primer.

del age de 7. ans. Et de ceo sera fait men-  
tion en le brieve le roy sonrai sur ceo quant  
home le voile demander. Et si aueigh q le  
pier, quant il aiera tel eide lene de les te-  
nants moyns quant q leit sa fille marie, les  
excutors le pier soit ten<sup>r</sup> a la fille, en tant  
come le pier assa rescen p cest aide. Et si lez  
bns le pier ne sufficient, q hte soit de t ten<sup>r</sup>  
a le fra. Glanville fol. 71.

### Assise 3. cap. 37.

**C** Puruew est q accorde enleant, q si hte  
soit attaint de disseisin, fait en teps le Roy  
q oze est, ouesqz robbery, de ascun maner de  
chattel, ou de moueabl, q soit trouue vers luy  
per recognisance de iurise de Nouel dissei-  
sin, le indigent soit tel, que le pt recofia sa  
seisin e les dains, auqvien de chattel q de  
moueabl auant dits, cõe de soit. Et le dis-  
seisour soit rente, le quel q il soit pzelent ou  
non, issint q [sil soit p sent] pztmes soit agard  
a la prison. Et per in le maner soit fait de  
disseisin fait a force q armes, tout ne face  
home robbery.

### Attainr 1. cap. 38.

**C** Par ceo q ascuns gentes de la tere don-  
tent meins sanz serent fait, q faire ne du-  
issent, per q mults des gẽts sont disherites,  
q pient leur dẽt : Puruew est, q le roy, de  
son office, desozmes donera Attainrs f les  
enqns en pleint de terre, ou de franktenc-  
ent, ou de chose q touche franktencent, qst il  
semblera q besoigh soit.

Fitzh. Nat. 7.  
bre. fol. 105. l. 2.

Limi.

## Limitation 2. cap. 39.

**E**t pur ceo q̄ le temps est mult passe  
puis q̄ les bziefes desonh nolumes fuerent  
auterfoits limites: Purmeſw est, que en  
coſit coſitant de diſcent en bziefe de Droit,  
nul n: soit ci oſe de couinter de la ſeiſin son  
anr de plus longe ſeiſin q̄ de tēps le Roy  
R. vncle le roy Henry, pier le roy q̄ oze est.  
Et q̄ le bziefe de Nouel diſſeiſin, & de ſpar-  
ty, q̄ est appell Nuper obijt, epent le terme  
puis le p̄mier paſſage le Roy Henry, pier  
le Roy q̄ oze est in Gascoigne, mēs nemy a-  
uant. Et les b̄es de Mortdant, de Coſi-  
nage, de Yle, de Centre, & b̄e de Peſtrie,  
eiant le terme del cozoneſt m̄ le roy Henry,  
& nemy auant. Mes q̄ tous les b̄es oze a  
p meſm ſchalez, ou a ſchaler, entour cpe [la  
feak] S. John en vn an, ſoient p̄ledes de  
tēps q̄ auant ſolent eſtē p̄ledes.

## Voucher 2. cap. 40.

**E**t Pur ceo que mults des gentz ſont de-  
layes de leur droit, p̄ lauxant voucher a gar-  
ranty: Purmeſw est, q̄ en b̄es de poſſ. cont  
adep̄imes come en b̄e de Mortdant, Co-  
ſinage, del Yle, Nuper obijt, de Intruſion,  
& auts bziefes ſemblables, p̄ les q̄ur terres  
du teneſts ſont demandes, q̄ur deuoiēt diſ-  
cender, reuerter, remaïnder, ou eſchier per  
mortdant, ou dauter, q̄ ū le tenant vouche  
a garrant, & le demandant luy coſtē p̄led, &  
boule auerter per aſſiſe, ou per p̄ays, ou en  
auter māner, ſicome le court le roy agarde,  
q̄ le tenant ou ſon anr q̄ heire il est, fait le

# Westm primer.

primer que entre apres la mort celui de q  
 leilin il demand, soit le avertement del de  
 mandant rescue, si le tenant le voile attēd,  
 & sinon, soit bote ouster le auter respons si  
 neit son garrantoz en present, q luy voile  
 garranter de son gree, & maintenant enter  
 en respō, salue al demandāt ses exceptions  
 enconter luy, si voile boucher ouster, come  
 il auoit auant, enconter le primer tenant.  
 De recherche en tous maistrs des btes Den  
 tre, qur sōt mētion des degres : Paruiesw  
 [est] q nul desozmes bouche hoys de la line.  
 Et en aus btes Dentre, ou nul mention  
 est fait de degres, les qur bzies ne sont  
 sustenus, soitz la ou les anandits btes de  
 degres ne potent giler ni lieu tener. Et en  
 bte de Dē paruiesw est, q si te tēt bouche  
 & garrant, & le demandāt te voile costerplew,  
 & soit prist de auerrier p pays, q celui q est  
 bouche & garrant, [ne nul] de les ancellers  
 ne vnqs auoient leisi de la terre, ou del  
 tē demand, ne tē, ne seruite per la maine  
 le tenant, ou [ascen] de les ancellers, puis  
 le tēps celui de q leilin le demandāt costē  
 telques al temps q le bzies tēt purchase &  
 plē moue, per q il soit le tenant ou les an  
 cellers au seoke : Adoncs soit lauerremēt  
 del dāt rescue, si le tenant le voit attē  
 der, & sinon, soit le tenant bote ouster & au  
 respons, si neit son garrantoz & present, q  
 luy voile garranter de son gree, & mainte  
 nant enter en respō, salue al demandāt ses  
 except enconter luy, sicoms il auoit auant  
 enconter

encointer le pinner tenant. Et lanantdit exception eit lieu en bñe de Mortdaunceſſe, & en les auters bñes devant noſmes, auzp- bien cōe en bziefes qur touchent dzoit. Et si le tenant per cas eit charter de garrantie de anter home de ceo chose q soit obſige en nul dez anantdits cases a le garrantie de son eigñ degre, ſalue luy soit son reconeſ per bñe de Garf de charter de le Chauncell le roy, quant il le boudza purchaſſer, mes q le pñe ne soit pur ceu delay.

Bataille and Graund Affise 1. cap. 41.

¶ De seremens des Champions, est il- ſint puruew: Pur t q rarement auient q le champion le demandant ne soit periture en ceo quil iure, que il ou son pñe veist la ſeiſin ſon ſeignior, ou de son auncellour, & q son pñe luy commande a faire la darreigñ, que desozmes ne soit le Champion le demandē cōſtreint a ceu iurer, mes soit le serement garde en tous les auters points.

Esloine 3. cap. 41.

¶ Pur t q en bziese Daſſe, battaints, & de Iuris virum, les Jurozs sont souēt tra- nels per esloines des tenāts: Puruew est, que del heure q le tenant vn fois apparut en court, iammes ne puisse le tenant se es- loine, mes faire son Detourney a ſuer pur luy, sil boile. Et si non, soit laſſe, ou le Ju- rie pñe p son default. W. 2. cap. 28.

Esloine 4. cap. 43.

¶ Pur t q les demandants sont souēt delays de tout dzoit, pur ceo q ou sont pñs

## Westm primer.

soz parceus tenants, dont nul puit res-  
poigh sans auſ, ou q̄i ad plulours tenants  
tointment si offes, ou nul ne sciet son ſeneral,  
e ceuz tenants souēt ſozchiet p̄ elloiſ, iſſint  
q̄ cheſcun eit vn elloine. Pur queſt cel deſoz-  
mes, q̄s ceuz tenants neient elloiſ, ſozſq̄  
a vn tour, nient plus que vn ſole tenāt na-  
meroit, iſſint q̄ iammes ne puiſſent ſozcher,  
ſozſq̄ tant ſolement auer vn elloine.

Elloine 5. cap. 44.

**P**ur ces q̄ multes des gentes ſe ſont  
ſaurēt elloine de ouſtre mere, la ou ils fue-  
rent en Engleterre le iour de le ſummons:  
Pur queſt cel deſozmes, q̄ cel elloiſ ne ſoit  
pas de tout alloiſ, ſi le demandant le chal-  
lenge, e ſoit p̄ſt banerier q̄il ſuit en En-  
gleterre le iour q̄ le ſummons fuſt fait, e ſi  
ſemaignes ap̄es: mes ſoit a iour n̄ en cel  
ſozme, q̄ ſi le demand̄ ſue a tiel iour auerēt  
p̄ pais, ou li cōe la court le roy agard̄ e ſoit  
attaint q̄ le tenāt fuſt deins le quat meres  
Dengleſ le iour q̄ il ſuit ſom, e trois ſemains  
ap̄es, iſſint q̄ il puit eſt̄ reſonablement  
garny de la ſummons, ſoit leſſoiſ ſurme en vn  
deſauit, e ces fait a entend̄ tant ſolement de-  
uant les Juſtices le roy.

Eſtreites 1. cap. 45.

**D**e delapes en tous maners des bzies,  
e des attachements eſt paruen, ſi ſi le tenāt  
ou le defendant, ap̄es le p̄ſt attachement  
teſmoigh, ſace deſauit, mainteſi ſoit le grand  
diſt̄ agard̄. Et ſi viſt̄ ne reſpoigh ſufficiſ-  
ment au iour, ſoit grenouſment amercy. Et

Si mande q il od fait l'exerciti en une man-  
ner, & les issnes bailes as mainmours, adon-  
ques soit mande au vii, q il al auer tout  
face venir les issnes devant Justices. Et si  
dattache veigh a l'jour a l'ass les defaultes,  
est il les issnes. Et si ne veigh, est le roy les  
issnes. Et les Justices le roy les facent li-  
nerer a la Gardrobe, & Justices del banke  
a Westm les facent limerer al Exchequer, &  
Justices en eyre, au vii de cell countie ou  
ils pient, surpbi de cel countie, come des  
sovereine counties, & de ceo soient charges en  
summons p folles de Justices.

Justices of both Benches 1. cap. 46.

**C** Purteyn est ensemblement, & per le Roy  
communde, que les Justices de Banke le  
Roy, & Justices de Bank a Westminster des-  
oignes per pient les ples a terminer un  
tour, avant que rien soit araine, ou com-  
mence des ples bel tour ensuant, forpbi q  
jour estoignes soient entres, iudges, & ren-  
dus, & per encheson de ceo nul home le assie,  
que il ne veigne au jour q doli luy est.

Age 1. cap. 47.

**C** Purteyn est ensemblement, que si vl desoz-  
mes purchale bfe de Houel disseisin, & celui  
sur que le bfe vient, come pincipal disseisin,  
mourge avant q l'assie soit posse, que le pl  
eit son bpiete Dentre foundus sur disseisin,  
sur le heire, ou sur les heires les disseisoiz,  
de que age que ils soient. En meisme le man-  
eit le heir, ou les heires le disseiser leur bfen  
Dentre sur les disseisoiz leur ancessis, ou

Vieux N.B.  
106.2.

# Westm primer.

leur heires, de q̄l age q̄ ils soient. Et si par a-  
uenture le dissein mourge auant que il eue  
son p̄rchaise fait, assint que par les monages  
des heires dunt part ne bouter ne soit le b̄se  
obatus, ne le plus delap, mes en quant que  
hom̄ soit sans ley offens, soit h̄ste par la  
fressi sans ap̄le dissein. Et en si le maner  
soit en ceo soit gars en dēt de plates, gentes  
de Religio, & auters, & q̄ux r̄res & tene-  
mens en mal maner puissent deuenir ap̄s auē  
mozt, le q̄l que ils soient dissein, ou dissei-  
sours. Et si les parties en pledant discent  
dout en enquest, & laquelle passa encontre  
le heir deins age, & nolement encontre le  
heir le dissein, que il en ceo case ait l'attaint  
de la grace le roy sans rien doubter.

Prochein amy 1. cap. 48.

Vieux Na. B.  
106.2.

**E**t si gardein ou chie se seignior enseoffe  
d̄l hom̄ de la t̄rs q̄ est del heritage del enf̄nt  
(que est deins age & en la garde) a le dissei-  
ritance del heir. Durais̄ est, que le heir  
oyt maintenant son reuerie p̄ h̄e de No-  
uel dissein vers son gardein, & d̄s le tenāt.  
Et soit la seisin baill per Justices (si el soit  
terouē) al prochein amplefant, & q̄ le he-  
ritage ne pais̄ my discent, par appoñ al  
d̄ps t̄nsant, & a resp̄der des issues al heir  
quāt il viē a son plaine age. Et le gardein  
parde a tout la vie la gar̄ de m̄le chose re-  
couē, & tout la reū del heritage, q̄l t̄nt en  
nom̄ del heir. Et si auē gardein q̄ chie se  
seignior le face, parde la garde de tout cel  
chose a cel soit & soit en gr̄ene peine enfi-  
le

le roy. Et si l'enfant soit esloigne, ou distueh  
per le getheine, ou per le seoffet, ou p' anter,  
p' q' il ne puisse la d'esse luer, lue pur luy un  
de ses p'ochaine amies que voudra, & soit a  
ceo rescue. W. 2. cap. 15.

Dower 2. cap. 49.

**E**n bzief de Dower dont Dame riens  
n'ad, ne soit le bziefe abatus per exception bi  
tenant, pur ceo q' el auera rescue la dower  
de anter home auant la h're purchase, si ne  
puit monst' q' el ait rescue part de la dower  
de luy mesme, & en mesme la ville auant son  
bziefe purchase.

Prærogativa Regia 1. cap. 50.

**E**t pur ceo q' le Roy ad fait cel chose al  
honneur de Dieu, & saint Eglise, & pur le co  
mon p'osit de people, & pur le allegiance de  
ceux q'ur sont graues, il ne voit mp' q' anter  
foiss p'ussent turner a p'indice de luy, ne de  
sa cozone: Mes q' les dzouts, q' a luy apper  
teign' luy soient saues en tous points.

Affise 4. cap. 51.

**E**t pur ceo q' grand charitie terra de  
laire dzoit a tous en tout temps, ou mestien  
serroit: Pur ceo est p' assentit des p'zo  
lates, q' d'esses de Nouel disseisin, d'p'oz  
dauncestet, & de Darrein p'resentit fuisse  
p'ises en le Advent, en Heptuagesime, & en  
Quaresme, surp'ien cōe le home p'ent  
lenquels, & ceo p'ia le Roy  
as Cuesques.

Explicit Staf de Westm primer.

Staf



## ¶ Statut' de Bigamis, & ditum

*Anno 4. Edw. primi.*

**I**N presentia venerabilium pfm quorundam Episcoporum Angliz, & aliorum de consilio Regis, recitatae fuerunt constitutiones subscriptae, & postmodum coram domino Rege & Consilio suo audita & publicata, quia omnes de consilio, tam Iusticie, quam alij concordauerunt, quod in scripturam redigerentur ad perpetuam memoriam, & quod firmiter obseruentur.

*Ayde de Roy 1. cap. 1.*

¶ De placitis ubi tenens excipit, quod sine Rege respondere non possit: Concordatum est per Iusticias, & alios sapientes de consilio Regni domini Regis, qui consuetudines & usum Iudiciorum hactenus habuerunt, quod ubi feoffamentum factum fuerit per Regem, & charta super hoc inconfesta tamen se habeat, quod si alia persona per consimile feoffamentum & consimilem chartam teneretur ad warrant, Iusticias ulterius procedere non potuerunt, nec lucusque processerunt, nisi super hoc preceptum à Rege habuerint, nec videre possunt quod procedere possint.

*Ayde de Roy 1. cap. 2.*

¶ In certis autem casibus, videlicet ubi Rex confirmauerit, vel ratificauerit factum alicuius in rem alicuiam, vel rem aliquam alicui concesserit, quantum in ipso est, vel ubi charta perfertur, quod Rex teneat aliquod redditum, nec

nec clausula aliqua in ea contineatur, p qua warrantizare debeat, & in consimilibus casibus, non erit supersedend occasione confirmationis, ratificationis, cōcessionis, seu red-ditionis, aut aliorum consimilium, quin postquam hoc regi fuerit ostens. sine dilatione procedatur.

*Aide de Roy 3. cap. 3.*

De dotibus mulierum vbi aliqui custodes hereditatum maritorum suorum custodias habent ex dono vel concessione regis, siue custodes rem petitam teneant, siue heredes dictorum teneantur vocentur ad warrant, si excipiant, quod sine Rege responderi non possint, non ideo supersedeatur, quin loquela p, prout iustum fuerit, procedatur.

*Purpresture 1. cap. 4.*

De purpresturis, seu occupationibus quibuscunq; factis sup Regem, siue in libertatibus, siue alibi: Concordatum est quod tempore Regis H. diffinit erat & concordat, quod vbi occupatores superstites fuerint, Rex de plano resumat sibi rem taliter occupatam de manibus occupantium, quod etiam de cetero in regno obseruetur. Et si aliquis de huiusmodi resumptionibus conquerasur, prout iustum fuerit, audiatur.

*Clergie 2. cap. 5.*

De Bigamis quos dominus Papa in consilio suo Lugdunensi omni privilegio clericali priuauit, p constitutionem inde editam, & vnde quidā Prælati illos qui effecti fuerāt Biga-

## Statut de Bigamis.

Bigami ante p̄dictam constitutionem, quādo de felonis rectari fuerunt, tanquam clericos exigerunt sibi deliberandos: Concordat est & declaratum corā Rege & consilio suo, qđ constitutio illa intelligenda sit, qđ siue effecti fuerint Bigami ante p̄dictā constitutionem, siue post, de cetero non liberentur p̄clatis, immo fiat eis iusticia sicut de laicis.

*Voucher 3. cap. 6.*

In Chartis autem ubi continentur (Dedi & concessi tale tenementum sine homagio, vel sine clausula que continet warrantiam, & tenēdū de donatoribus & h̄ered' suis p̄ certum seruitium) Concordat est p̄ eisdem iusticiariis, quod donatores & h̄eredes sui teneantur ad warrantiam. Vbi autem continetur (Dedi & concessi &c.) tenēdū de capitalibus dominis feodi, aut de alijs quam de feoffatoribus, vel heredibus suis, nullo seruitio sibi retento, sine homagio, vel sine dicta clausula *Warrantie*, h̄eredes sui non teneantur ad Warrantiam. Ipse tamen feoffator in vita sua ratione doni p̄prij tenet warrantizare. P̄dictae autem constitutiones editae fuerunt apud Westmonasterium in parliamento post festum sancti Michaelis, Anno regni Regis E. filij Regis H. quarto, & extunc locum habeant.

**Explicit Stat de Bigamis.**

Fin. N. b. 134  
H. & Perk. 124

Sta-

**¶ Statut Glouceſtre, xdit**

*Anno 6. Edw. primi.*

**L** En la grace M. CC. lxxij. & del  
raigne le Roy Ed. fils le Roy Henry,  
vj. a Glouceſtre le mops Daugust, pur-  
mieus ante meisme le Roy, pur amendement  
de son Roialme, & pur plus plainer exhi-  
bition de droit, sicome le profit docteur de-  
mande, appelle les plus discretes de  
son Roialme, sur bien des greivers come  
des meinders. Establie est & concordant-  
ment ordaine, que come meisme le Roialme  
en plusieurs divers cases, sur bien des  
franchises come dauters choses, en les qils  
ley avant fallit, & a escheuer les tres grandes  
damages, & les nient numerables disheri-  
sons, les quels icel maner defaut de ley fist  
a la gent du Roialme, est mestier de divers  
suppletions de ley, & de nouels purueian-  
tes: Les estatutes, ordeinments, & pur-  
ueyances suis escriptes de tout la gent de  
la roialme desozmes soient firmement gardes,  
come Prelates, Countes, Barons, & au-  
ters del Roialme clamēt daver dūis fran-  
chises, & les qils exawish & indget, le Roy &  
meismes les Prelates, Countes, Barons,  
& auters, avoit done iour. Purmieus est,  
& concordantment grante, q les ausdits Pre-  
lates, Countes, Barons, & auts, cel man-  
dre franchise vident, issint q rien ne leur ac-  
rescer per usurpation, ou occupation, ne ris-  
sur le Roy occupiet, tesqz al pchein venne t  
Roy

## Gloucester.

Roy per le countie, ou a le prochain venue  
des Justices errants, as common plees en  
mesme le countie, ou lesqz le roy commande  
auter chose : sans le droit le Roy come il en  
voudra parler, solongz ces q il est contenue  
en le briel le roy. Et de ceo soient mandes  
brieffes as viscontes, baillies, ou auters q  
chescun vwant. Et soit la forme del brieves  
change, solongz la diversite des franchises,  
les queis chescun clame daver. Et les vis-  
contes per touts lour baillies ferront com-  
munement creper, cessant noire, en citiez,  
burghes, & villes merchandes, & aplois, q  
touts ceus q aschis franchises claiment au  
per les charters lez pdecessors le roy, royes  
Dengleterre, ou en auter maner, soient de-  
vant le roy, ou devant Justices en eire a cer-  
tainz lour & lieu, a monstret q maner de  
franchises ils claiment dach, & per q gar-  
rant. Et les viscontes mesmes donqs ser-  
ront illongz personnelment, ou lour baillies &  
ministers a certifier le roy sur lez avantours  
franchises, & auters choses q celles fran-  
chises touchent. Et cest cri deestre devant le  
roy conteigne garnisemēt de iij. semaines.  
Et in mesme le maner ferront les viscontes  
crier en oper de Justices. Et in mesme le  
maner ferront ils personnelment, ou lour bay-  
lies, & lour ministers, a certifier les Justie  
de quel maner de franchise, & des auts cho-  
ses q celles franchises touchent. Et ce cri  
conteigne garnisemēt de quarante iours, &  
come le common shirons contient : issint q

si la partie q clame daver franchises, soit  
 devant le Roy, ne soit paz mis en default de-  
 vant les Justices en Cye, p ceo q le Roy  
 de la grace especial ad grant q il gardera  
 la partie de damage qst a cel atournement.  
 Et si cel party soit impley sur tiels maners  
 de franchises devant vn paier de Justices  
 auantdis, meismes les Justices denāt les  
 qur la partie est en ple, garderent le party  
 de damage denāt autres Justices, a denāt  
 le Roy luy meisme, mesq il sache p les Ju-  
 stices, q le pte soit tn ple devant eux, si com  
 il est auantdit. Et si ceuz q tiels franchises  
 clament auer, ne veignēt paz al iour auāt-  
 dit, donq soient les franchises en noime de  
 distresse pze en la maine le roy p le viscont  
 del lieu, issint qis tiel maner de franchises  
 ne vident, lesq ils veign a recevoir droict. Et  
 quant ils veignēt p cel distresse, leur fran-  
 chises euz soient replenies sils les demā, d,  
 les qis replenies respoignēt maintenant tn  
 la forme auantdit. Et par aduētū les ptes  
 exceptēt, qis ne debuēt niēt de r respondē  
 sās bēe original, donq sil puisse estē lurre q  
 euz de leur pper fait, eist vsurpe ou occupp  
 ascū franchises sur le Roy, ou sur les pde-  
 ce Roys, dit leur soit q maintenant respoignēt  
 sans bēe, e puis rescient iudgeāt, sic de le  
 court le roy agardera. Et sils diēt ouster, q  
 leur anceser, ou leur ancesers de meismes  
 les franchises moztant seilles, soient oyes,  
 e maintenant soit le ditte enqse, e solomz r  
 aillent lesq auant en le besoigne. Et sil soit  
 trois

## Gloucester.

Et si soit treuve q'leur ancesseur eint moialls  
seille: vous eint le roy hysle original de la  
Chancerie en forme fait de ceo. Le Roy  
mande salute au visconts, summones per  
done summonozs un tiel, que il soit deuant  
nous a tiel lieu en nostre pcheine venue en  
cel countie, ou deuant nous Justices a pri-  
mer assises, come ils en celles parties vein-  
dyont, a monstrier per q' grant il clame da-  
uer quitace de toz q' il soy on pur les homes  
p tout nostre roialme p continuation aps la  
mort tiel sabis son predecessor. Et aus les  
summonozs a ceo h'e. Et si les pties brig-  
not al tour respoignet, a soit reply a iudge.  
Et s'ils ne veignent ne soy esloinet deuant le  
roy, a si le Roy demurs ouster en tel cou-  
tie, soit commande au viscont q' il le face venter  
al quart tour. Et q' il tour s'ils ne veignent, a le  
roy demurs ouster en cel countie, soit fait si  
come en epte de Justices. Et si le Roy deyt  
del countie, soit les parties alozmes a brene  
tour, a eyent raisons delayes, mte les  
discretions des Justices, a come en actions  
personal. Et les Justices en eire facient de  
e, en leur opers solongz lozdeinnet auantur,  
a solongz ceo q' tiel man de ples debuiet eire  
deuant. En oier de plaints faits a affaires  
des baillifes le roy, a deus baillifes, soit fait  
solongz lozdeinnet auant fait de ceo, a solongz  
les enq's de ceo auant p'ises, a de e serront  
les Justices en eire solongz e q' le roy leur  
en esoint, a solongz lez articles q' le roy leur  
ad itnere. [Vide tout ceo in latin pl<sup>2</sup> plaine

30. E. 1. lestat de Quo warranto tit Fran-  
chises 5.

Damages 1. cap. 1.

**E** Come auant ces heures damages ne  
fueront agardes en Nulle de nouel disseisin  
forsqz tantsolement vs les disseisozs : Pur-  
meu est, q li les disseisozs alont les tene-  
ments, & neient dont les damages puissent  
estre leues, q ceux a que maines ceux te-  
nements deuiendzont, soient charges des  
dammages, issint q chescun respoign de son  
temps. Purmeu est enlement, q le dissei-  
slee reconet damages en brieve. Dentre  
foindue sur disseisin, vers celui q est trone  
tenant apres le disseisoz. Purmeu est ense-  
ment, q la ou auant ces heures damages  
ne fueront agardes en plex de Mortdance-  
ssoz, forsqz en case ou teneiments fueront re-  
cohes dius chiefes seigniozs [ceci fust per  
stat Harib. cap. 16.] q de lozmes damages  
soient agardes en tous cases, ou hōe recoñ  
per assise de Mortdancessoz, sicōe ē auādit  
en Nulle de Nouel disseisin. Et in mesm le  
maner ret home damage en brieve de Cōsi-  
nage, Tyle, & Belayel. Et la ou auant ces  
heures damages ne fueront taxes, forsqz  
a le value des issues de la terre : Purmeu  
est, q le dñant puit recoñ vers le tenant les  
costages de brieve schase, ensemblement  
ouelsqz les damages auantdits. Et tout ces  
soit tenus en tous cases, ou home recouer  
damages. Et soit de lozmes chescun tenus  
a render damages, la ou home recoñ vers  
luy

42. E. 3. 7.  
Entre sur diss.  
30.

Lheire le dis-  
seilee ne reco-  
uera dāns vers  
celuy que est  
trone tenant,  
mes soleist le  
disseilee mesm.



## Gloucester.

luy de sa intrusion de meisme, ou de son fait de meisme.

Age 2: cap. 2.

**E** Si enfant deins age soit tenuz hors de son heritage apres la mort son pier, cousin, apel, ou delapel, per q il content q il p chaise briefe, & son aduisarie beign en court, & en respoignant alleage seoffement, ou aut chose dit, per q Justices agardēt lenquest, la ou lenqst fait delay, ielsq al age lenfant, cy passa ore lenquest auxy come il fait de pleine age.

Warrantie 1. cap. 3.

Litt. fol. 163.  
32.

**E** Establie est enlement, q si home alien tenement, q il tient per le ley Dengleterre, son fitz ne soit pas forbarre per le fait son pier (de q nul heritage luy discend) a demander & recouerer per bñe de Mortdancerster de la seisin sa mier, tout face le charo ter son pier mencion que luy & ses heyzes sont tenus a la garf. Et si heritage luy discend de part son pier, donq soit il forclose & le valne del heritage, q luy est discendus. Et si en tiel cas apres la mort sō pier, heritage luy soit discendus per mesme le pier, donq asia le tenant vers luy recoupy de la seisin sa mier, per briefe de iudgemēt q issira hors de rolles des Justices, devant qur le plee soit pleade, a resom son garrantie, sicome anant ad estre fait en auts cases, ou le garrantie vient en court, & dit que riens ne luy est discend de luy per q fait il est bouche. Et en mesme le maner eit lissue le fitz reconef per

per bziese de Cossage, Wyel, & Wesail. En-  
sement & en melme le maner ne soit l'heire la  
femie apzès la mozt le pier & la mier, barf  
daction a demandz le heritage la mier per  
bziese Dentre, q̄ son pier en temps sa mier  
aliens, dont nul fine nest leue en court le  
roy.

Litt. Garr. sec.  
37. 38. 39. &  
40. lou il ar-  
gue sur parols  
destatue.

Ceslaui r. cap. 4.

**C** Ensement si home leffa sa terre a ferm,  
ou a trouer estouers en bisi, ou en besture  
q̄ amouut a la quart part de la berap ba-  
lue de la terre, & celuy q̄ la terē tient issint  
charge la lessel giser fresh, issint que home  
ne puit troi distresse per deux ans, ou per  
trois, a faire le ferme render, ou a faire ceo  
q̄ est contentie en lescript ou leas : Establie  
est, q̄ apzès les deux ans passés eit le lessor  
action a demander la terre en demeign per  
bziese q̄ il auera en le Chancery. Et si celuy  
vers q̄ la terre est demande, beigne auant  
iudgement, & rend les arrerages q̄ les dāns,  
& troua surette tiel cōe la court verra q̄ soit  
suffisant a rend enapzès [solong] ceo q̄ est  
cōtenue en lescript du leas, ci reteign la tē.  
Et sil demurē tanq̄ ele soit recoū per iudg-  
ment, soit il fōzclose a reinnant. W. 2. cap. 21.  
& cap. 41.

Wast 2. cap. 5.

**C** Ensement est puruise, q̄ home eit des  
loymes bte de Wast en le chancery. Or hōe  
q̄ tient p le ley Denglefre, ou en auter ma-  
ner a terme de vie, ou des anz, ou lēe q̄ tient  
en doſwer. Et celuy q̄ serē attaint de wast,  
perde

## Gloucester.

Ve.Na.bre.  
88.b.

perde le chose q̄ il auet waſt: Et ouſter ē  
face gr̄ee del treble de ē q̄ le waſt ſer̄ taxe.  
Et en waſt fait en gar̄, ſoit fait ſolōq̄ ceo  
q̄ contenue eſt in le grand Charter cap.4.  
Et par la ou il eſt contenue en la grande  
chart̄e, que celui q̄ auet fait waſt en gar̄,  
perde le gar̄: Accord ē, que il rēdra al h̄e  
les dāms del waſt, ſi illint ſoit que la gar̄  
p̄one ne ſuffiſt mie a le value des dāms, a:  
uant lage del heire de m̄ le gar̄. W.1.ca.21.  
Articuli ſuper chartas cap.18.

Mordanceſter 2. cap.6.

¶ Puruieu ē enſem̄t, que ſi h̄oe mour̄ ge,  
e ſit pluſozs heires, dont lū eſt ſits ou ſie,  
frere ou ſoer, nephēw ou niece, e les autres  
ſont en plus longe degrēe, tous les heires  
deſozmes epent recouerie per b̄fe de Mort:  
danceſtoz.

Entre 1. cap.7.

¶ Enſem̄t ſi feme vende, ou done en ſē,  
ou a term̄ de vie, tenem̄t q̄ el tiēt en doſwer:  
Eſtablie eſt, que le heire, ou auter, a que la  
ter̄e deueroit reuertir ap̄s le deceale la f̄ee,  
eit maintenant ſon recouerie per b̄fe Deu:  
tre, fait de ē en la Chancerie.

Treſpas 1. cap.8.

¶ Puruieu eſt enſem̄t, que les viſcōes  
plēs en counties les plēs de treſpas, aux  
cōe tis ſotiēt eſtre plēdes. Et q̄ nul neit de:  
ſozmes b̄fes de treſpas deuāt Juſtices, ſil  
ne affirme p̄ ſoy, q̄ les biens emportes vai:  
lēt 40.s.al meins. Et ſil ne pleint de batery  
affirme per ſoy que ſa pleint eſt veritable.

Des.

Des plates, & des mathemes, eit home bñe  
 sicome home soleit auer. Et graunt est, q̄ les  
 defend püssent fait attornies en tielz plēs,  
 ou appell ne gist mie, iñint q̄ ils soient at-  
 taints du trespas en leur absence, soit masū  
 al bist, que ils soient pzises, & eient adonq̄s  
 la peine, que ils aueront, s'ils vissent estē p-  
 sents quant le iudgement fuit rendus. Et si  
 lez pleintifes desozmes en tiel trñs se facent  
 estoine aēs la pñm apparans, soit leur done  
 ielsq̄s a la venue des Justices errants, & lez  
 def. en dementires soient en peace en tielz  
 plēs, & en auts plēs, ou attachāts, & destē  
 gisent. Si le defend se face estoine del ser-  
 uice le roy, & ne pozt son garrant au tour q̄  
 done luy est p son estoine: establie est que il  
 rendra al pl̄ les dāns de la tourne de xx. s.  
 ou de plus, solōq̄ le discretiō des Justices,  
 & iademaing soit en le grēne mercie le roy.

Pardon i. cap. 9.

**P**uruew est ensement, q̄ nul bñe ne  
 issēt desozmes de le Chauncerie pur mort  
 de home, denq̄rer si home occist auter p mis-  
 aduentū, ou soy defend, en en aut masū pur  
 felony, mes celui soit en prison, ielsq̄ al ve-  
 nue des Justices errant, ou assign a gaole  
 deliuerie, & se mist en pais devant eux de bñ  
 & male. Et si soit trone p pais q̄ il ne fist soy  
 defend, ou p misaduentū, dōq̄s fra les Ju-  
 stices assigner au roy, & le roy luy en fra la  
 grace, si luy pleist. W. i. cap. ii. Puruew  
 est ensement, q̄ nul appell soit abatne ci legier-  
 ment come auant ad este, mes si lappellour

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comte le fait, lan, le iour, le heure, le tēps le roy, & la bill ou le fait fust fait, & de q̄l arme il fust occise, se estoia la appeal; & t̄mes ne soit l'appell abatus p̄ default d̄ fresh suit puis q̄ hōe sue deveins lan a le iour a p̄s le fait.

Essoine 6. cap. 10.

**C** Come il soit contenu en lestat le roy q̄ oze est W. 1. cap. 41. q̄ deux parceners, ou deux queux teigne en common, ne puissent fourcher per essoine, del heure q̄ ils ont un sours apparus en courte: Puruew est, que mesm̄ ceo soit tenus & garde, par la ou home & la femme soit enpledes en la court le roy.

Disceipt 2. cap. 11.

**C** Puruew est enlement, q̄ si hōe bailla en la Citie de Londres son tenecht a terme des ans, & celuy a que le franktenement est, se face emplede per collusion, & face def. a p̄s default, ou beigne en court, & la voile r̄h̄ pur faire le termour perdze son terme, & le d̄bit querelle, issint que le termour puisse aver recouerte p̄ b̄e de comenant, le Maĩ et les Ballifes puissent enquirer per bone vilh̄ en la p̄sence del termour, & del demā- dant, le q̄l le demandant mouest son plē per bon d̄roit q̄l avoit, ou p̄ collusion & p̄ fraude pur faire le termour perdze son terme. Et si trone soit per enquest, q̄ le demandant mouest son plē per bon d̄roit quil avoit, ci soit le iudgement perfozme maintenant. Et si troue soit p̄ enq̄st, q̄ il luy empleda p̄ fraud pur toller le termour son terme, ci demurge le termoz en s̄o terme, & le p̄ech̄ del iudgement  
pur

par le demandant soit suspendus, lesquels  
apres le terme passe. Et en mesme le maner  
soit fait de equitie en tiel case devant Justices,  
si le termour le challenge devant iudgement  
rendus.

Voucher 4. cap. 12.

**C**ourtesy est ensemblement, que si home soit Fitzh Nat.  
bfe fol 6.e.  
emplede de tenement en m la cite, & bouch  
fozein a garrantie, q il beign en la chancery  
& eit bzieste de som son garrantie a cert iour  
devant Justices du bank, & bn anter bre au  
Maire & as Bailifes, q ils surcessent en le  
paroll q est devant eux per bzieste, lesquels a  
tant que le paroll de le garrantie serra termi  
mine devant Justices du bank. Et quant le  
parol de la garrantie serra termine devant  
Justices du bank, donqs serra dit au gar  
q il beign en la cite de Lond a respoign de  
chiese ple. Et le dñant per sa suit eit bre de  
Justices de bank, au Maire & as bailifes, q  
ils voilent auat en le ple. Et si le dñant re  
coit vers le tenant, beign le tenat as Justices  
de bank, & eit bre au Maire & as bailifs,  
q si le tenat eit la ter perdue, q ils facient  
extede la bre, & retozn lertet en bank a cert  
iour, & aps soit mannd au visc du pais ou  
le garranti suist som, q il luy face auer de la  
bre le garrant a le valne. Vide Articul Glouc.  
correct Anno 9. Edw. 2.

Estrepeement 1. cap. 13.

**C**ourtesy est ensemblement, que del heure que  
ple serra moue en la Cite de Londres per  
bre, q le tenant neit power de faire waik, ne

## Gloucester.

estrepiement du tenement q est en dñe, pñdñt le pleñ. Et sil face, le Maif & les Bailifes facent garð a le suit de le dñt. Et m lozðze & statute soit garde en auters Cities, Boroughes, & aplozs per tout le roialme.

Damages 2. cap. 14.

**¶** Le Roy grant de la grace as Citizñs de Londzes, q la ou auant ces heures ceuz qur fueront disseisñes de lour franktenement en m la cite, ne poient recõñ lour dññ auñt le venue des Justices a la Tower : Que deslozmes iceuz disseisñes eient lour dññ per recognuñs de lañse, p le qñ ils reconeront lour tenement, & les disseisñs soit amercies deuant deux Barons dexequer, qur un soit p an beindñ en le Cite a ceo faire. Et ceo soit maunde a Treasozer & as Barons dexequer, qñs le facent fait chesñ an p ij. de euz a lour leuer apñ la Chancelere. Et lez amercement p les sñmons del Escheqr, soit levies al oeps le Roy, & al escheqr deliñes.

Wines. 1. cap. 15.

**¶** Purview est enlement, q le Maif & les Bailifes auant le venue de ceuz Barons enquerrent des Wines vendus encounter lañse, & le pñsent deuant euz a lour venue, & dññs soient amercies, la ou ils soient attñdñ, tñsq a le venue des Justices errñts. Dones a Gloucestr le quart iour de October, lan du raigne le Roy Edward sñs le Roy Henry, 6.

Explicit Statut de Gloucestr.

¶ Expla.

¶ **Explanationes Stat Gloucestre,***Ann. predicti Regis 6. edita.*

**P**ostmodum per dominum Regem, & Iudiciarios suos factę sunt quędam explanationes quorundam articulorum superiorum positorum.

*Damages 3. cap. 1.*

Videlicet ad primum Articulum, vt illi qui habent ingressum per disseisinam incurrant dampna a tempore statuti publicati. Eodem modo de breuib; de ingressu super disseisinam. De damnis in omnibus breuib; mortis antecessoris consanguinitatis, Aui, vel Proau, de Intrusione, vel de facto proprio, vel quodcunq; breue, currant damna post impetrationem breuis, contra eos qui tenuerunt per statutum, licet antecessores sui prius inde obierunt seisciti.

*Age 3. cap. 2.*

De inquisitione faciend, quę tangit illos qui sunt infra etatem, currat statutum sine temporis limitatione.

De terris alienatis per illos qui tenent p legem Anglię, currat statutum de huiusmodi terris alienatis post statutum illud publicatum. Eodem modo currat statutum de fr̄is vxoris alienatis per virum, vbi finis in curia non est inde leuat.

*Cessavit 2. cap. 3.*

De terris dimissis ad feodi firmam, reddend inde per annum quartum partem veri valoris earum, currat statutum, tam de terris,  
dimissis



## De Religiosis.

dimissis ante statutum æditū, quā post, dum-  
modo tenens detinuerit vltra duos annos  
post statutum æditum, id quod soluere debuit  
dimissori per annum, iuxta scripte conuentio-  
nis illius.

*Wast. 1. cap. 4.*

De pœna vasti, de omnibus (preterquam  
de dotibus & custodijs) intelligatur de va-  
stis factis post statutum æditum. Et de pœna  
triplici in casibus vasti de dotibus & custodijs  
intelligatur de vastis factis post statutum  
æditum.

*Entre 2. cap. 5.*

De his qui alienant dorem suam, intelligat  
post statutum æditum.

Datum apud Glocest' die dominica proxima  
post festum diui Petri ad vincula, Anno regni  
Regis E. I. sexto.

## ¶ Statut' de Religiosis, æditum

*Anno 7. Edw. primi.*

*Mortmaine 2. cap. 1.*

**C**Um dudū prouisum fuerit, qd' viri Re-  
ligiosi non ingrederentur feoda aliquo-  
rum, sine licentia & voluntate capita-  
lium dominorum feodorum de quibus feoda  
illa immediate tenentur, & viri Religiosi post-  
modum nihilominus tam feoda sua propria  
quam aliorum hactenus ingressi sunt, ea sibi ap-  
propriando, & mēdo, & aliquando ex dono  
aliorum

aliorum recipiendo, per quod seruitia quæ ex huiusmodi feodis debentur, & quæ ad defensionem regni ab initio prouisa fuerint, indebitæ subtrahuntur, & capitales domini escaetas suas inde amittunt: Nos super hoc pro utilitate Regni nostri congruū volentes prouidere remedium, de consilio Prælatorum, Comitum, Baronum, & aliorū fidelium regni nostri de consilio nro existentium, prouidimus, statuimus, & ordinauimus, quod nullus Religiosus, aut alius quicumq; terras aut tenementa aliqua emerit vel vendere, vel sub colore donationis, aut termini, aut ratione alterius tituli cuiuscunque, terras, aut tenementa ab aliquo recipere, aut alio quouis modo, arte vel ingenio sibi appropriare præsumat, sub forisfactura eorundem per quod ad manum mortuam terræ vel tenementa huiusmodi deueniant quoquomodo. Prouidimus etiam qd si Religiosus aut alius contra præsens statutū aliquo modo, arte vel ingenio uenit præsumserit, liceat nobis & alijs immediatè capital' dominis feodi talit' alienati illud infra annū a tempore alienationis huiusmodi, ingredi & tenere in feodo & hæreditate. Et si capitalis dñs immediat' negligens fuerit, & feod' huiusmodi ingredi noluerit infra annū, tunc liceat proximo capitali domino immediatè feodi illius, infra dimidium annū sequentem, feod' illud ingredi, & tenere sicut p'd' est, Et sic quilibet capital' dñs immediate ingredi possint huiusmodi feoda, si p'pinq'ior dñs immediat' ad ingrediendū huiusmodi feoda negligens fuerit,

## De Religiosis.

vt prædictū est. Et si omnes hñodi capitales  
dñi hñodi feodi qui plenæ c̄tatis fuerint in-  
fra quatuor Maria, & extra prisonā, p̄ vnum  
annum & dimidium negligentes fuerint, vel  
remissi in hac parte. Nos statim post annum  
completum à tempore quo hñodi emptiōn,  
donationes, vel alios appropriationes fieri  
cōtigerit, terras & tenem̄ta hñodi capiemus  
in manum nostram, & alios inde seoffabimus  
p̄ certa seruitia nobis inde ad defensionem  
regni nostri facienda, saluis capital' dñis feo-  
dor' illoꝝ wardis, releuijs, & escaetis, & alijs ad  
ip̄os p̄tiñ, ac seruitijs inde debitis & consue-  
tis. Et ideo vobis mandamus, qđ statutum præd'  
coram vobis legi, & de cætero firmit̄r teneri  
& obseruari faciatis. Teste me ipso apud  
Westminst. xiiij. die Nouembris, Anno regni  
nostri vij. & c. *Mag. char. cap. 36. W. 2. 3 ap. 32. &  
33. & W. 3. Anna 18. E. 1. cap. 4.*

*Explicit statutum de Religiosis.*

¶ Statut' de Acton Burnel, ædit'  
*Anno 11. Edw. primi.*

Recognisance & Stať merchant. cap. 1.

**P**Ar ceo que Merchants, queux auant  
ceux heures ont prikes lout auoir as  
dñs gents, q̄ux sont chues en pouertte,  
par ceo q̄ ils nauoient pas cy ready ley pur-  
nichs, p̄ la q̄l ils poient lout bettes hastineit  
recoq

reconeroz al iour de la pape assigne, & p icei  
 encheson sont mults des mchants frustretz  
 de vener in cest tere oue lour merchandises  
 as dains des mchants, & de tout le roialme.  
 Le Roy per luy, & per tout son conseil, ad or-  
 deine & establie, que Merchant q voist estre  
 sure de son det, face vener son dettours de-  
 vant le Mayoz de Londres, ou de Cux-  
 swike, ou de Wylkolk, ou devant le Maioz  
 & un Clerke, que le Roy a ceo atturnera, a  
 conuser la det, & le iour de paimet, soit la re-  
 conul. entre en roll de la maine le dit Clerke  
 que serra conus. Ouster ceo le dit Clerke  
 face de la maine lettre obligat, a ql escrip-  
 ture soit mis le seale le dettoz, oue seale le  
 Roy que a ceo soit purueu, le ql seale de-  
 murra en le gard del Mayoz & le Clerke a  
 wantdit. Et si le dettoz ne luy rend al iour  
 q luy est done on assis, si beigne le creansoz  
 al Maioz & al Clerke oue la lettre obligat :  
 Et si troue soit per rolle, ou per lettre, que  
 la det suit conue, & q le iour assis est passe,  
 le Maioz p bieu dez pzudes homes, main-  
 tenant face vendre les moueables du dettoz  
 come attain de la det, sicome chateur bur-  
 gages deuissables, ielque a la somme de la  
 dette, & les deniers sopent payes al crean-  
 soz. Et si le Mayoz ne troue achatour,  
 face p reasonable price liuerer les moue-  
 ables a creansoz, ielsq a la somme de la det  
 en allowanco de la det. Et a la vende, & la  
 liure des burgages deuissables serra mis  
 le seale le roy auantdit, en pardurable tes-  
 moign

## Aston Burnel.

moigne. Et si le dettoz neit moueables en le poier le maïoz, dont le dette purt estre lene, eins rit aloz en la Reame, donq̄s mande le Maïoz desouth le seale le Roy nantdist al Chancelloz la consul. fait devant luy & lauandit Clerke. Et le Chancelloz mande briel al biē en q̄ baille auet moueables le dettoz. Et le vicon face faire grē al creansoz p̄ m̄ la forme, q̄ le Maïoz le ferroit, si les mouables le dettoz fussent en q̄ poier. Et bien soy gardēt ceux, q̄ ont p̄aise les biens moueables p̄ liuerer al creansoz, que ils mett̄ reasonable p̄ice. Car s̄ils les mittent trope haut, en fauoz del dettoz, al dām del creansoz, la chose p̄ice soit liuer a ceux q̄ux lafont p̄aise p̄ la p̄ice q̄ ils ont ont mise, & maintenant respoign̄ al creansoz de sa det. Et si le dettoz voile dire, q̄ les biens moueables fueront vende ou liueres pur meines, q̄ ils ne valent, de ceo ne purt il m̄ remedy aū, pur quoy q̄ le Maïoz ont le biē eyent loialment les biens moueables a celui q̄ pl̄ offert vend̄, car il purra retier a luy m̄ auant la tour de sa suit port, & les b̄is mouables aū vend̄, & p̄ les maines les deniers auoir lene, & ne voilet.

¶ Et si le dettoz neit mouables, dont la det purt ēe lene, donq̄s soit son coꝝp̄ p̄ise on q̄ il serra trone, & in p̄ison tenne, ieq̄s a tant q̄ il eit fait grē, ou les amies p̄ luy. Et si nad dont il poit estre sustenus en p̄ison, la creansoz luy troia paine & eswe, q̄ ne moꝝge en p̄ison pur default, les q̄ux costas

costages le dettoz luy rend oue le det, auant  
q'il issent del prison.

**E**t si le creansoz soit sachant estrange,  
il demurra al costages le dettoz tout le tēps  
q'il demurt p' suer sa det leuer lesqz al heure  
q'lez biens moueables le dettoz soient vendz,  
ou a luy liueres.

**E**t si le creansoz ne la paie pas de la  
suretie solement le dettoz, per q' pledges luy  
solent troues ou mainpernozs, si les mainper-  
nozs, ou les pledges beign deuāt le Jhaioz  
& le dit Clerke, & si obligent per escripturē  
& recognisance, sicome auant est dit del  
dettoz. En mesm le maner si la dette ne soit  
paie a tour assigh, soit fait l'execution sur  
les pledges & mainpernozs, come auant est  
dit del dettoz. Et eit le creansoz recouerie  
sur les pledges & mainpernozs come auant  
est dit del dettoz.

**E**t issint ne p' quant que tanz come  
la dette puisse estre pleinement leue des biens  
moueables del dettoz en le sozū anādīt, les  
mainpernozs ou les pledges ne eiant dastū,  
mes en defalt des biens mouables du dett,  
eit le creansoz recouerie sur les mainper-  
nozs, ou sur les pledges en la forme, q' auant  
est dit del dettozs &c. Et a sustener les  
costages de l'auantdit Clerke, si prendra le  
Roy de chescun liuer vn denier. Cest esta-  
blishment voit le roy q' deslozmes soit tenuz  
& garde per tout son Realme de Anglitter-  
re, enter q' gentes q' ceo soit, que de lours  
demestū degrez boudzont cē recognissāz fait  
hoys

## Acton Burnel.

forzpris Jexves, aux qur cest establiſſment  
ne se extende pas.

**C** Et per cest establiſſment ne soit pas bñe  
de Dette abatus, & ne soient pas le Chan-  
celier, Barons de Leschequer, Justices de  
lan banque & de lauter, ou Justices errants,  
forzlos de pzẽdre recognuſances des detts  
de ceux q̃ devant eux voudront faire. Mes  
execution des recognuſances devant eux  
ne soient faits en la forme auantdit, mes  
per la ley, & les vſages, & les manners a-  
uant bles. Done a Acton Burnell, le xij.  
jour de October, lan de nostre raigne 11.  
[Vide statut de Mercatoribus, Anno 13.  
E.1.]

## ¶ Statutum de Westm̃ secundo; ædit Anno 13. Edw. primi.

**C** Vm nuper Dominus Rex, in quindena  
Sancti Iohannis Baptistæ, anno regni  
sui sexto, conuocatis Prælatiſ, Comi-  
tibus, Baronibus, & consilio suo apud Glou-  
cest̃r: Quia plures de Regno suo exhæreda-  
tionem patiebantur, eo quod in multis casu-  
bus, vbi remedium apponi debuit prius, non  
fuit per prædecesſores suos, aut per ipsum re-  
medium prouisum, quædam statuta populo  
suo valde necessaria & vtilia ædidiſ, per quæ  
populus suus Anglicanus & Hybernicus sub  
suo regimine gubernatus, celerioſem iusti-  
ciam

ciam, quam prius, in suis oppressiōibus consecutus est, ac quidam casus, in quibus Lex deficiebat remanserunt indeterminati, & quidam ad reprimendam oppressiōē populi remanserunt statuend'. Dominus Rex in Parliamēto suo, post Pascham, anno regni sui tertio decimo, apud Westminster, multas oppressiōes populi, & Legum defectus, ad suppletionem dictorum Statutorum apud Glocester & ditorum, recitari feci, & statuta & didit, vt patebit in sequent.

*Taile. I. cap. I.*

In primis, de tenementis, que multociens dantur sub conditione, videlicet, cum aliquis dat terram suam alicui viro & eius vxori, & hæred' de ipsis viro & muliere procreatis, adiecta conditione expressa tali. Si huiusmodi vir & mulier sine hæred' de ipsis viro & muliere procreato obiissent, terra sic data ad donatorem, vel ad eius hæredem reuertatur. In casu etiam cum quis dat tenementū alicui in liberū maritagiū, quod donū habet conditionē annexam, licet non exprimat in carta doni, quæ talis est. Quod si huiusmodi vir & mulier sine hæred' de ipsis viro & muliere procreato obiissent, tenementū sic datum ad donatorem, vel ad eius hæredem reuertatur. In casu etiam cum quis dat tenementū alicui, & hæred' de corpore suo exeuntibus, durum videbatur, & adhuc videtur, huiusmodi donatorib', & hæredibus donatorū, quod voluntas donatorū ipsorum in donis suis expressa, non fuit prius, nec adhuc est obseruata. In om-

*Taile speciall.*

*Taile genarall.*

H

nibus



## Westm second.

Post prolem  
fufcitatur, nempe  
deuant.

nibus enim prædictis casib<sup>9</sup> post prolem sus-  
citaram, & exeuntem ab ipsis quibus tenē sic  
condicionalitē fuit datum, hucusq; habue-  
runt huiusmodi feoffati potestatem alienandi  
tenementū sic datum, & exheredandi exitum  
eorum, cōtra voluntatem donatorū, & con-  
tra formam in dono expressam. Et præterea  
cum deficiēte exitu de hūmodi feoffatis, tenē  
sic datum ad donatorem, vel ad eius hære-  
des reuerſi debuit performam in charta de  
dono hūmodi expressam, licet exitus (si quis  
fuerit) obisset per factum tamen & feoffa-  
mentum eorum, quibus tenē sic fuit datum  
sub conditione, exclusi fuerunt hucusque de  
reuerſione eorundē tenitorum quod manife-  
stū fuit contra formam doni: Propter qđ  
dñs rex perpendens, qđ necessarium & vtile  
est in prædictis casibus apponere remediū, sta-  
tuit quod voluntas donatoris, secundum for-  
mam in charta doni sui manifestē expressam,  
de cætero obseruetur, ita quod non habeant  
illi, quibus tenē sic fuit datū sub conditione,  
potestatem alienandi tenē sic datū, quo mi-  
nus ad exitum illorum, quibus tenē sic fuerit  
datum remaneat post eorum obitum, vel ad  
donatorem, vel ad eius heredem (si exitus  
deficiat) reuertatur, per hoc quod nullus sit  
exitus omnino, vel (si aliquis exitus fuerit, &  
per mortem deficiet) herede de corpore hu-  
iusmodi exitus deficiente. Nec habeat de  
cetero secundus vir huiusmodi mulieris ali-  
quid in tenementū sic dato per conditionem,  
post mortem vxoris suæ, per legem Angliæ:

nec

Nota, parols  
(fuit dat &c.  
quæ ad relatiō  
ad dona præ-  
cedentia, non  
obstante poli  
(de cætero  
&c) quæ ad  
relationem ad do-  
na futura.

nec exitus de secūdo viro & muliere successi-  
onem hæreditariam : sed statim post mortē  
viri & mulieris, quibus tenē sic fuit datū, post  
eorum obitum ad eorū exitum, vel ad dona-  
torem, vel ad eius hæredem (vt p̄dictum est)  
reuertatur. Et quia in nouo casu nouum re-  
medium est apponendum : fiat impetranti  
tale breue. Præcipe A. quod iuste &c. reddat  
B. tale maneriū cum pertinenā, quod C. dedit  
tali viro, & tali mulieri, & hæred de ipsis viro  
& muliere exeūtibus. Vel qđ C. dedit tali  
viro in liberū maritagium, cum tali muliere,  
& quod post mortem p̄dictorū viri & mulie-  
ris p̄dicto B. filio eorundē viri & mulieris dis-  
cendere debet per formam donationis præ-  
dictæ, vt dicit : Vel quod C. dedit tali & hæ-  
red de corpore suo exeuntibus, & quod post  
mortē ipsius talis, prædict B. filio p̄dicti talis  
discendere debet p̄ formam donationis &c.  
Breue p̄ quod donator habet recuperare de-  
ficiente exitu, satis est in vsu in Cancellaria.  
Et sciendum est, quod hoc statutum quoad  
alienationē tenementi contra formam doni  
imposterum faciendū, locum habeat, & ad  
dona prius facta non extendatur. Et si finis  
super h̄modi tenē imposterum leuetur, ipso  
iure sit nullus Nec habeant hæredes h̄modi,  
aut illi ad quos spectat reuersio, (licet fuerūt  
plenē ætatis, in Anglia, & extra prisonam)  
necesse apponere clameum suum.

*Repleuin 2. cap. 2.*

Quia domini feodū distringentes tenētes  
suos, pro seruitijs & consuetudī sibi debis,

H a

mul-

Finis lenat  
cōtra formam  
donationis va-  
cat.

Aliter est mo-  
do per stat 4.  
H. 7. 24. & 32.  
H. 8. 36. per  
queux si tenēt  
en tailleurie  
fine, est totū  
barred.

## Westm̄ second.

multociens grauantur per hoc, quod cum tenentes sui distractionem suā per breue, vel sine breue, replegiauerint, ac cū ipsi domini (ad queremoniam tenentiū suorum) ad com̄, vel ad aliam curiam habentem potestatem placitandi placita de Vetiro namto, p̄ attachiamē venerrint, & rationabilē & iustam distractionē aduocauerint, p̄ hoc qd tenentes disaduocant, nihil tenere nec clamant tenere de eo qui distractionem fecit, & aduocauit, remansit ille qui distrinxit in misericordia, & tenentes sui quieti, quibus pro illa disaduocatione per recordū Com̄, siue aliarum curiarū, quę recordū non habēt p̄cna infligi non potest. De cætero prouisum est & statutum, quod cum h̄modi dñi in com̄ vel huiusmodi curia, iusticiam de huiusmodi tenentib⁹ suis consequi non possint, quam cito attachiati fuerint ad sectam tenentiū suorū, concedatur eis breue ad ponendū loquelam *illam* coram Iusticiarijs, coram quibus *non alibi* iusticia huiusmodi dominis exhiberi poterit, & inserat causa in breui, quia talis distrinxit in feodo suo pro seruic⁹ & conf. sibi debitis. Nec per istud statutum derogat Legi cōmuni vsitata, quod non permisit aliquod placitū poni coram Iustic⁹ ad petitionē defendent⁹: quia licet prima facie videatur tenens actor, & dominus defendens, habito tamen respectu, ad hoc qd dñs distrinxit, & sequit⁹ pro seruitijs & conf. sibi a retro existēti realit̄r apparebit potius actor, siue querens, quā defendens. Et vt in certo sint Iustic⁹  
de qua

de qua recenti seifina poterint domini aduocare rationabilem diftrictionem fup tenentes fuos : De cætero concordatum eſt, quod rationabilis diftrictio poterit aduocari de ſeifina antecellorum vel prædeceſſor fuorum, à tempore quo breue Noue diſſeiſinæ currit. *Vide W. I. cap. 38.* Et quia aliquando contingit, quod tenens poſtquam replegiauerit aueria ſua, aueria illa vendit vel elongat, quominus retorum poſſit fieri dñō diftringenti, ſi adiudicetur. Prouiſum eſt, qd' Vicecomes, vel Ballini, de cætero non recipiant à conquerentibus ſolummodo plegios de proſequendo, antequam deliberationē faciant de auerijs, ſed etiam de auerijs retornandis, ſi adiudicet retornād. Et ſi quis alio modo plegios ceperit, reſpondeat ipſe de precio aueriorum. Et habeat dominus diftringens recuperare per breue, quod reddat ei tot aueria, vel catalla. Et ſi non habeat balliuus unde reddat, reddat ſuperior ſuus. Et quia aliquando contingit, qd' poſtquam adiudicat fuerit diftringēti retorum aueriorum, & ſic diftrictus, poſtquam aueria ſic retornata iterū replegiauerit, & cum viderit diftringentē cōparentem in curia paratum ſibi reſpōdere, deſaltam fecerit, ob quam iterum readiudicabit diftringenti retornū auerioſ, & ſic bis, vel ter, & in infinīt replegiabuntur aueria, nec habebūt iudicia curiæ Regis in hoc caſu effectū; ſuper quo non fuit prius remedium puiſum. Ordināt eſt in hoc caſu talis proceſſus, quod quam cito adiudicat fuerit retorum auerio-

## Westm second.

rum distringenti per breue de Iudicio, mandetur Vic', quod retornum habere faciat distringenti de auerijs, in quo breui inseratur, quod Vic' ea non deliberet sine breui, in quo fiat mencio de iudicio p Iustic' reddi: quod fieri non poterit, nisi p breue quod exeat de rotulis Iustic', coram quibus deduct' fuerit loquela. Cum igitur *districus* adierit Iustic', & petierit aueria sua iterum sibi replegiari, fiat ei breue de Iudicio, quod vic' (capta securitate de proseguendo, & etiam de auerijs seu catallis retornand', vel eorum precio, si adiudicetur retornum) deliberet ei aueria, vel catalla prius retornata: & attachietur ille qui distrinxit, ad veniend' ad certum diem coram Iustic', coram quibus placitum deducatur in praesentia partium. Et si iterato ille, qui replegiauerit aueria, fecerit default, vel alia occasione adiudicetur retornum distractionis iam bis replegiat', remaneat distractio illa in perpetuum irreplegiabilis. Sed si de nouo, & de noua causa fiat distractio, de noua distractione seruetur processus supradictus.

*Cui in vita 1. cap. 3.*

In casu quando vir amiserit per defaultam reñt, quod fuit ius vxoris suæ, durum fuit qd' vxor post mortem viri non habuerit aliud recuperare, quam p breue de Recto: Propter quod dñs Rex statuit, quod mulier post mortem viri sui habeat recuperare per breue de Ingressu, cui ipsa in vita sua contradicere non potuit, qd' in forma subscripta erit placitand'.

Si

Si contra petitionem mulieris tenens excipiat, quod habuerit ingressum p iudicium, & compertum fuerit, quod per defaultam, ad qd' tenens necesse habet responderi, si ab eo querat, tunc ulterius habet necesse ostendere ius suum, secundum formam bñs, qd' prius impetrauit sup virum & vxorem. Et si verificare poterit, qd' habuerit, vel habet ius in tēte petito, nihil capiat mulier per bñe suum. Quod si ostendere non poterit, recuperet mulier tēte petito: Hoc obseruato, quod si vir absentauerit se, & noluerit ius vxoris suæ defendere, vel inuita vxore sua reddere voluerit, si vxor ante iudiciū venerit, parata petenti, respondere, & ius suum defendere, admittatur vxor. Eodem modo si tenens in dotē, p legem Angliæ, vel aliter ad fminum vitæ, vel p donum in quo reseruatur reuersio, fecerit defaultā, vel reddere voluerit, admittatur hæredes, vel illi ad quos spectat reuersio, ad responsionem, si venerint ante iudicium. Et si p defaultam, vel redditiōē reddat iudicium, tunc habeant hæred', vel illi ad quos spectat reuersio, post mortem hñdi tenentiū, recuperare p bñe de ingressu: in quo obseruetur idem pcessus, sicut pñ est in casu vbi vir amittit p defaultam tēte vxoris suæ. Et sic in casibus pñ duæ concurrunt actiones: vna inter petentem & tenent, & alia inter tenent ius suum ostendentem & petentem. *Vide 20. E. 1. defensio iuris fo. 88.*

*Dower 3. cap. 4.*

In casu quando vir implacitatus de tene-  
ment, reddit teneñtrum petito aduersario

## Westm̄ second.

suo de plano, post mortem viri, Iustitiarij adiudicent mulieri dotem suam, si per breue petat. Sed in casu quando vir amittet p defaultam tenementum petitur, si mulier post mortem viri petat dotem, & compertum est, quod per aliquos Iusticiarios adiudicata fuit dos, mulieri petenti, non obstante defaulta, quam vir suus fecit, alijs Iustitiarijs in contraria opinione existentibus, & contra iudicantibus, vt de cetero hñdi ambiguitas amputetur, & sit in certo: Ordinatum est quod in vtroque casu audiat mulier, quæ dotem petit. Et si excipiat contra ipsam, quod vir suus tenet, vnde dos petita est, amittit per iudicium, per quod dotem habere non debet, & si queratur p qđ iudicium, & compertū fuerit quod per defaultam, ad qđ tenens necesse habet respondere, tunc oportet tenentē ulterius respondere, & ostendere quod ipse tenens ius habuit, & habet in p̄dicto tenet, secundum formam brevis, quod tenens prius super virum impetrauit. Et si ostendere poterit, qđ vir mulieris non habet ius in tenet, nec aliquis alius quā ipse qui tenet: recedat quietus, & vxor nihil capiat de dote. Quod si ostendere non poterit, recuperet mulier dotem suam. Et sic in casibus istis, & in quibusdam casibus subsequent. s. quando vxor dotata amittat dotē suam p defaultam, & tenentes in liberū maritaggio per legem Angliæ, vel ad terminum vitæ, vel per feodum talliatum, concurrunt plures actiones. Quia huiusmodi tenentes, cum oporteat eos petere tenementa sua

sua p defaultam amissa, & cum ad hoc puenit  
 fuerit, qđ tenēs necesse habeat ostendere ius  
 suū, non possunt ipsi, sine his ad quos spectat  
 reuersio, de iure respondere: & ideo cōcedat  
 eis, qđ vocent ad warrantū secundū tenorem  
 breuis, ac si essent tenentes *in priori breui*  
 warf habeant. Et cum warrantus warranti-  
 zauerit, pcedat placitū inter illum qui seiscitus  
 est & warrantum, secundū tenorem breuis, qđ  
 tenens prius impetrauit, & p qđ recupaue-  
 rit per defaultam. Et si ex pluribus actionibus,  
 ad vltimum pueniat ad vnum iudicium, vi-  
 delicet ad hoc qđ hmodi petentes recuperent  
 petitionem suam, vel qđ tenentes eant quie-  
 ri. Et si actio huiusmodi tenentis, qui necesse  
 habet ostendere ius suum, mota fuerit p bfe  
 de Recto, licet magna assisa, vel duellū iungi  
 non possunt per verba consueta, *iungi* tamen  
 possunt per verba satis apta. Quia cum te-  
 nens in hoc qđ ostendat ius suum, quod ei  
 competet per breue qđ prius impetrauit &  
 sit loco actoris, benē poterit warrantū defen-  
 dere ius tenentis, qui loco petentis ( vt di-  
 ctum est ) habet, & seisinam antecessoris sui  
 offerre & defendere p corpus liberi hominis  
 sui, vel ponere se in magnam assisam, & pe-  
 tere inde recognitionē fieri, vtrum ipse ma-  
 ius ius habeat in tenemento petito, an præ-  
 dictus talis: vel alio modo iungi poterit  
 magna assisa, & sic talis warrantus defendit  
 ius, &c. Et cognoscit seisinam antecessoris sui  
 & ponit se in magnam assisam &c. & petit  
 recognitionem fieri, vtrum ipse maius ius ha-  
 beat



## Westm second.

beat in prædicto tenemento, vt in illo de quo feoffauit talem, vel quod talis remisit, & qui-  
etum clamauit &c. an prædictus talis &c. Cū  
aliquando contingat, quod mulier non ha-  
bens ius petendi dotem hæreditatis hære-  
dis alicuius infra ætatem existens, impetret  
breue de dote super custodem & custos per  
fauorem mulieri dotem reddiderit, vel de-  
faltam fecerit, vel placitum ita factum p col-  
lusionem defenderit, per qd' dos huiusmodi  
mulieri (in præiudicium heredis) adiudicata  
fuerit : Provisum est quod hæres, cum ad  
ætatem peruenerit, habeat actionem petendi  
seisinam antecessoris sui versus huiusmodi  
mulierem, qualem haberet versus quemcun-  
que alium deforciatorem, ita tamen quod  
salua sit mulieri versus ppetentem exceptio  
ostendendi, quod ius habet in dote sua, quod  
si ostendere poterit, recedat quæta, & dotem  
suam retineat, & sit hæres in misericordia, &  
amercietur grauiter secundum discretionem  
Iusticiariorum. Sin autem recuperet hæres  
petitionem suam. Eodem modo subuenia-  
tur mulieri, si hæres vel alius eam implaci-  
tauerit de dote sua, si dotem suam per defal-  
tam amiserit. In quo casu sua defalta non sit  
ei ita præiudicialis, quin dotem suam ( si ius  
habeat) recuperare possit, & fiat ei tale bñe.  
Præcipe A, quod iuste &c. reddat tali, quæ  
fuit vxor talis tantam terram cum pertinen-  
tijs in C. quam clamat esse rationabilem do-  
tem suam, vel de rationabili dote sua, & quā  
prædictus talis ei deforceat. Et ad istud bñe  
habeat

habeat tenens exceptionem suam, ad ostendendum, quod mulier ius non habet in dote: Quod si verificare poterit, recedat quietus, alioquin recuperet mulier tenementum, quod prius tenuit in dote. Et cum temporibus retroactis aliquis amisisset terram suam per defaultam, non habuit aliud recuperare quam per breue de Recto, quod eis competere non potuit, qui de mero iure loqui non potuerunt, *Co. G. 8.* veluti tenentes ad terminum vitæ, vel per liberum maritagium, vel per feodum talliatum, in quibus casibus saluatur reuersio. Provisum est quod de cætero non sit eorum defaulta eis ita præiudicialis, quin statum suum (si ius habeant) recuperare possint per aliud breue quam per breue de Recto. De maritagio amisso per defaultam fiat tale breue. Præcipe A. quod iuste &c. reddat A. manerium de C. cum pertinentijs, quod clamat esse ius, & maritagium suum, & quod prædictus A. ei deforce. Eodem modo de tenito ad terminum vitæ per defaultam amisso, fiat tale breue. Præcipe A. quod iuste &c. reddat B. manerium de C. cum pertinençijs, quod clamat *Fin. N. B. 3. d.* tenere ad terminum vitæ suæ, & quod prædictus A. ei deforceat. Similiter quod clamat tenere sibi & hæredibus suis de corpore suo legitime procreatis, & quod prædictus A. ei deforce, &c. *Fixh. Nat. bfe. fol. 155. b.*

*Aduerson 1. cap. 5.*

Cum de Aduocationibus Ecclesiarum non sint nisi tria breuia originalia, videlicet bfe de Recto, & duo de possessione, sciz. vltimæ præ-

## Westm second.

presentationis, & Quare impedit hucusque  
 vsuratum fuerit in regno, quod cum aliquis ius  
 presentandi non habens presentauerit ad aliquam  
 Ecclesiam, cuius presentatus sit admissus, ipse  
 qui verus est patronus, per nullum aliud breue  
 recuperare potuit aduocationem suam, quam  
 per breue de Recto quod habet terminari per duellum,  
 vel per magnam Assisam, per quod heredes infra  
 etatem existentes per fraudem & negligenti-  
 am custodum, heredes etiam siue maiores,  
 siue minores per negligentiam vel fraudem  
 tenentium per legem Angliæ, vel mulierum  
 tenentium in dote, vel alio modo ad terminum  
 vite, vel annorum, vel per feodum talliatum,  
 multoties exhereditationem patie-  
 bantur de aduocationibus illis, vel ad minus  
 (quod eis melius fuit) ponebantur ad breue de  
 Recto, & in casu omnino exhereditati fuerunt  
 hucusque, Statutum est quod huiusmodi pre-  
 sentationes non sint huiusmodi rectis heredi-  
 tibus, aut illis ad quos post mortem aliquorū,  
 huiusmodi aduocationes reuerti debent ita præ-  
 iudiciales, quin quotiescunq; aliquis ius non  
 habens, tempore huiusmodi custodiarum pre-  
 sentauerit, vel temporis tenentium in dote, per le-  
 gem Angliæ, vel alio modo ad terminum vi-  
 tæ, vel annorum, vel per feodum talliatum,  
 in proxima vacatione, postquam heres ad  
 etatem peruenerit, vel aduocatio post mor-  
 tem tenentium in forma prædicta ad herede-  
 dem plenè etatis existentem reuerteretur,  
 habeat eandem actionem & recuperationem  
 per breue de aduocatione possessorium qua-  
 lem

Fitzh. Nat.  
 bfe. fol. 31. g.

lem haberet vltimus antecessor huiusmodi heredis plenam habens etatē, in vltima vacatione temporis suo accidente ante mortē suam, vel antequā dimissio facta fuerit ad terminū vel ad feodum talliatum, vt prædictum est. Hoc idem obseruetur de presentationibus factis ad Ecclesias de hereditate vxorū, tempore quo fuerunt sub potestate virorum suorum, quibus per istud statutum subueniatur, per remedium supradictum. Viris etiam Religiosis, Episcopis, Archidiaconis, Rectoribus Ecclesiarum, & alijs psonis ecclesiasticis per istud idem statutū subueniatur: si aliquis ius presentandi non habens præstauerit ad Ecclesias domus sine prælatiæ, dignitati aut personatui spectantes, tempore quo vacauerint prælatiæ, dignitates, aut personatus huiusmodi: nec tamen ita largē intelligatur istud statutū, quod personæ, ad quorū remedium statutum istud est æditū, habeāt recuperare supradictum, dicentes quod custodes, tenentes in dotem, per legem Angliæ, vel alias ad terminū vitæ, vel annorum, vel viri fiste defenderint placitum per ipsos, vel contra ipsos motum, quia iudicia in curia Regis reddita per istud statutum non adnihilentur, sed stet iudiciū in suo robore, quousque per iudicium curiæ Regis tanquam erroneum (si error inueniatur) adnulletur, vel assisa vltimæ præsentationis, vel inquisitio p Quare impedit si transierit per artinctā, vel p certificationē adnulletur, que gratis concedatur. Et de cetero vna forma placitādi in breuibz vltimæ

## Westm̃ second.

presentationis, & Quare impedit, inter Iusticiarios obseruetur, quoad hoc, quod si pars rea excipiat de plenitudine Ecclesie p suam p̃p̃riam p̃sentationē, non p̃pter illam plenitudinem remaneat loquela, dummodo breue infra tempus semestre impetretur, quanquam infra tempus semestre presentationem suam recuperare non possit. Et cum aliquando inter plures clamantes aduocationem alicuius Ecclesie pax fuerit formata inter partes, & irrotulata coram Iusticiarijs in rotulo, vel in fine sub hac forma, qđ vnus primo presenter, & in sequente vacatione alius, & in tertia tertius, & sic de pluribus, si plures sunt. Et cum vnus presentauerit, & habuerit suā p̃sentationē, quam habere debet per formā conuentionis illius, & in p̃xima vacatione impediatur ille ad quem spectat sequens p̃sentatio p aliquē qui fuit pars illius conuentionis, vel loco eius: Statutū est quod de cætero non habeat hmodi impediri necesse perquirere breue de Quare imp̃, sed habeat recursum ad rotulum, vel ad finem. Et si in rotulo, vel in fine compta fuerit p̃d pax, vel conuentio, manderur Vic', qđ Scire faciat parti impediēti, qđ sit ad aliquē breuem diem continentem spaciū xv. dierū, vel trium septimanar, secundū qđ locus est propinquus vel remotus, ostens'. (si quid sciat dicere) quare sic impeditus talem p̃sentationē suam haberi non debeat. Et si nō venerit, vel forte venerit, & nihil sciat dici, quā sic impeditus p̃sentationē suā habere non debeat, ratione

ratione alicuius facti post pacem factam, vel irrotulatam, vel chirographatam, recuperet presentationem suam cum damnis suis. Et cum contingat quod post mortem antecessoris sui, qui ad aliquam ecclesiam presentauit personam, assignata fuerit illa aduocatio in dotem alicuius mulieris, vel tenenti per legem Anglię, & tenentes in dotem, vel tenentes per legem Anglię presentauerint, & verus heres post mortem huiusmodi tenentium per legem Anglię, vel in dotem, impediatur presentare, cum Ecclesia vacauerit: Prouisum est, quod de cetero sit in electione impediti, utrum perquirere velit per breue de Quare impedit, vel vltimę presentationis. Hoc etiam de cetero obseruetur de aduocationibus dimissis ad terminum vitę, vel annorū, vel ad feodum talliatum. Et de cetero in breuibus vltimę presentationis, & Quare impedit, adiudicetur dampna, videlicet, si tempus semestris transierit p̄ impedimētū alicuius, ita qđ Ep̄us ecclesiam conferat, & verus patronus ea vice p̄sentationē suam amittat, adiudicentur dampna ad valorem Ecclesię de duobus annis. Et si tempus semestris non transierit, sed distracionetur p̄sentatio infra temp̄ p̄dictum, tunc adiudicentur damna ad valorem medietatis ecclesię p̄ vnum annum. Et si impeditor nihil habeat, vnde restituer possit damna, in casu qđ ep̄iscopus cōfert ecclesię per lapsum temporis, puniatur p̄ prisonā duorū annorū. Et si aduocatio distracionetur infra tēpus semestris, puniatur tamē impedit p̄ prisonam

Fin. Nat.  
bre. fol. 31. b.

## Westm second.

prisonam dimidij anni. Et de cætero concedantur breuia de Capellis, præpèdis, vicarijs, hospitalibus, abbatijs, prioratib<sup>9</sup>, & alijs domibus quæ sunt de aduocationibus illorum, quæ prius concedi non consueuerunt. Et cū p breue Indicaui, impeditur rector alicuius Ecclesiæ, ad petendum decimas in vicina parochia, habeat patronus rectoris sic impedire breue ad petend<sup>9</sup> aduocationem decimarum petitarum. Etcum districtionatum fuerit, procedat postmodum placitum in curia Christianitatis, quatenus districtionatum fuerit in curia Regis. Cum aduocatio discendat participibus, licet vnus bis pseret, & vsurpet sup cohæredem, non, ppter hoc exclusus sit ille in toto qui fuit negligens, sed alias habeat turnum suum præsentandi, cum acciderit.

*Voucher. 5 cap. 6.*

Cum quis petat ten<sup>9</sup> versus alium, & implacitatus vocauerit ad warrant<sup>9</sup>, & warrantus dedicat warrantiam, & diu pdeat placitum inter tenentem & warrantū, cum ad vltimū conuincatur, qd<sup>9</sup> vocatus ad warrantū warrantizare tenetur per legem & cons. hætenus visitatam, non fuit antea alia pœna inflicta vocato, qui warrantiam dedixit, nisi tamen quod warrantizaret, & esset in mīa, quia prius non warrantizauit, quod durum fuit petēti, quia multociens per collusionē inter tenentem & warrantū magnas substituit dilationes. Propter qd<sup>9</sup> dominus Rex statuit, quod sicut tenens amitteret tenementū petitum, si vocasset ad warrantum, & warrantus se posset

Fin. Nat.  
ire. fol. 30. e.

sur  
ta a  
ram  
mod  
nir il  
plura

possit deuoluere de warrantia: Eodem mod  
amittat warrantus si warrantiam dedicat, &  
conuincat qd Warrantizare debeat. Et si in-  
quisitio pendeat inf tenentē, & warrantum,  
& petens petat per bre ad faciendū venir iu-  
raturum, concedatur ei &c.

*Admeasurement de dower 1. cap. 7*

Custodi de cætero cōcedatur bre de adme-  
suratione dotis. Nec per sectam custodis, si  
fictē & per collusionem sequatur versus mu-  
lierem tenentem in dotem, peludatur hæres  
cum ad etatem puenerit ad dotem admen-  
surandum, secundum quod p legem Angliæ  
fuit admēsurandū. Et tam in illo breui, quā in  
bfi de admensuratione pasturæ, celerior quā  
prius de cæter sit processus, ita qd cū peruē-  
tum fuerit ad magnam distictionem, dent  
dies, infra quos duo com teneantur, ad quos  
publica fiat proclamatio, quod defendens  
veniat ad diem in breui contentum queren-  
ti responsur. Ad quē diem si venerit, pcedat  
placitum inf eos, & si non venerit, & procla-  
matio supradict modo p vic' testificata fue-  
rit, pcedatur per defaultā ad admensurationē  
faciendam.

*Admeasurement de pasture 1. cap. 8*

Cum p placitū motum p bre de admen-  
suratione pasturæ, pastura fuerit admēsurata  
aliquando coram Iustic', aliquñ in com co-  
ram vic', multociēs contingit, qd post huius-  
modi admensurationem actam, iterum po-  
nitille, qui primo superoneravit pasturam,  
plura animalia quam ad ipsum pertinet ha-  
bend,



## Westm̄ second.

hend, nec super hoc hucusq; p̄sum fuisse  
remedium: Statutum est, qđ de secunda su-  
peroneratione fiat remediū conquerēti sub  
hac forma, Quod conquerens habeat breue  
de Iudicio, si coram Iustic' admēsurata fuerit  
pastura, quod Vic' in præsencia partium pre-  
monitarum (si interesse voluerint) inquirat  
de scđa superoneratione. Quæ si inuenta fu-  
erit, mandet Iustic' sub sigillo vic', & sigillis  
Iuratorum, & Iusticiarij adiudicent conque-  
renti damna, & ponant in extractis valorem  
animalium quæ superonerat post admēsurati-  
onē factam, posuit in pastura, vltra qđ de-  
buit, & extractas liberent Baronib' de Scac-  
cario, vt inde respondeant dño Regi. Si in  
com facta fuerit admensuratio, tunc ad in-  
stantiam querētis exeat bre' de cancellaria,  
qđ vic' inquirat sup hñodi superonerationē,  
& de auerijis positis in pasturam vltra debitū  
numerū, vel de precio dño Regi ad scacca-  
rium suum rñdeat. Et ne Vic' fraudem faciat  
dño Regi in isto casu: Concordatū est, qđ  
oīa hñodi breuia de secunda superonerati-  
one, q̄ exeunt de Cancellaria irrotulentur, &  
in fine anni mittant transcripta ad Scaccari-  
um, sub sigillo Cācellarij, vt videant Thesau-  
rius & Barones de scaccario qualiter Vicec'  
rñdeat de exitibus de hñodi breuium. Eodē  
modo irrotulentur br̄ia de Redisleisina, &  
mittantur ad Scaccarium in fine anni.

*Mesne 1. cap 9.*

Cum capitales domini distringunt feodum  
suum pro consuetudinibus & seruicijs sibi  
debitis,

debitis, & medius sit qui tenentē acquirere  
 debeat, cum non iaceat in ore tenentis, post-  
 quam districtionem replegiauerit, dedicere  
 demāda capitalis dñi sui, qui aduocat in cū  
 Regis iustam districtionem fieri super tenen-  
 tem suum, viz. super medium, multi per hu-  
 iusmodi districtiones hucusque grauati exti-  
 terunt, per hoc qđ medius (licet haberet per  
 qđ distringi posset) magnas fecit dilationes  
 antequam ad cū venerit ad respondendum  
 hñodi tenentibus suis ad bñe de Medio: per  
 hoc etiam qđ durius fuit in casu quādo me-  
 dius nihil habuit, in casu etiam cum tenens  
 paratus esset facere capitali domino seruitia  
 & consuetudines exactas, & capitalis domi-  
 nus seruitia & cons. sibi debitas renuebat  
 percipere per manum alterius, quam p ma-  
 num proximi tenentis sui, & sic amiserunt  
 hñodi tenentes in dominico, pficuum ter-  
 rarum suarum aliquando ad tēpus, aliquan-  
 do toto tempore suo, nec fuit antea aliquod  
 remedium in hoc casu prouisum. Ordina-  
 tum est & prouisum in hoc casu remedium  
 in posterum, sub hac forma, quod quamcito  
 hñodi tenens in dominico, habens medium  
 inter ipsum & capitalem dominum, distrin-  
 gitur, statim pquirat sibi tenēs breue de Me-  
 dio. Et si medi⁹ habēs terrā in eodē com dis-  
 fugerit vsq; ad magnā districtionē, detur q-  
 renti in bñi suo de magnā districtionē talis dies,  
 ante cuius aduētū duo com teneant, & p̄cipi-  
 atur vic', quod distringat mediū p magnam  
 districtionem, prout in breui continetur. Et

## Westm second.

nihilominus Vic' in duobus plenis com' so-  
lemniter proclamare faciat, qd hmodi me-  
dius veniat ad diem in breui content, respō-  
surus tenenti suo. Ad quem diem si venerit,  
pcedat placitum inter eos mod' coniunctio.  
Et si non venerit huiusmodi medius, amittat  
seruitium tenentis sui & a modo nō respon-  
deat ei tenens in aliquo, sed (omissio illo me-  
dio) respondeat capitali domino de eisdem  
seruitijs & cons. que prius facere debuit præ-  
dictus medius. Nec habeat capitalis dominus  
potestatem distringendi tenentes in dominico  
dū p'dictus tenens offerat ei seruicia debita &  
consueta. Et si capitalis dominus exigerit pl<sup>u</sup>  
quam medius ei facere deberet, habeat te-  
nens in hoc casu exceptionem versus domi-  
num quam haberet medius. Si vero medius  
nihil habuerit in potestate Regis: nihilomi-  
nus perquirat tenens breue suum de medio,  
ad vic' illius com' in quo distringitur. Et si  
vic' mandauerit, quod medius nihil habeat  
vnde potest summoneri, nihilominus sequa-  
tur breue de Attachiamiento. Et si Vic' man-  
dauerit, quod nihil habet per quod potest at-  
tachiari, nihilominus sequat breue de magn'  
districtione, & fiat pclamatio in forma præ-  
dicta. Si vero medius non habeat terram, in  
com' in quo fit districtio, sed habeat terram  
in alio com', tunc exeat breue originale ad  
ad summoniendū mediū, ad vic' illius com' in  
quo fit districtio. Et cum testificatū fuerit per  
illum vic', quod nihil habet in com' suo, exeat  
breue de Iudicio ad sūmon' medium, ad vic'  
illius

illius com in quo testificat fuerit quod habet  
 ten, & fiat secta in illo com, quousque perue-  
 niatur ad magnam districtionem, & pclamationem,  
 sicut dictum est supra de medio ha-  
 bente terram in eodem com in quo sit distri-  
 ctio. Et nihilominus fiat secta in com in quo  
 nihil habet (sicut dictum est supra de medio  
 nihil habente) quousq; perueniatur ad mag-  
 nam districtionem & proclamationem, & sic  
 post pclamationem in utroque com factam  
 adiudicetur medius de feod' & seruicio suo.  
 Et cum aliqui contingat, qd tenens in domi-  
 nico feoffatus est, ad tenend' de medio per  
 minus seruicium quam medius facere debuit  
 capitali domino, cum post huiusmodi pro-  
 clamacionem attornatus sit tenens capitali  
 domino, medio omisso, necesse habet tenens  
 respondere capitali domino de seruicijs &  
 cons. quæ medius ei prius facere debuit, &  
 postquam medius venerit in cur, & cogno-  
 uerit, quod acquietare debet tenentem suum,  
 vel adiudicetur ad acquietand', si post huius-  
 modi cognitionem aut iudicium queremo-  
 nia perueniat, quod medius non acquietat  
 tenentem, tunc exeat breue de Iudicio, quod  
 vic' distringat medium ad acquietandum te-  
 nentem, & ad essend' coram Iustic' ad certum  
 diem, ad ostendend', quæ prius cum non ac-  
 quietauit. Et cum per districtionem venerit,  
 audiatur querens. Et si querens verificare  
 poterit, qd ipsum non acquietauit, satisfaci-  
 at de damnis, & per iudicium recedat tenens  
 quietus de suo medio, & attornetur capitali

## Westm second.

domino. Et si ad primam distractionem non venerit, exeat bñe de alia distractione, & fiat proclamatio, & postquam testificat fuerit, pcedatur ad iudicium, sicut superius dictum est. Et sciendum est, quod per hoc statutum non excluduntur tenentes, quin habeant warrantiam, si de tenementis suis implacitentur, super medios suos & eorum hæredes, secundum quod prius habuerunt, nec etiam excluduntur tenentes, quin sequi possunt versus medios suos, secundum consuetudinem prius usitatam, si viderint quod processus eorum plus valeat per antiquam consuetudinem quam per istud statutum. Et sciendum est, quod per istud statutum non pvidetur remedium quibuscumque medijs, sed solummodo in casu cum sit vnus medius int̃er dominum distringentem & tenentem, & in casu quando medius ille est plenę ætatis, & in casu quando tenens, sine p̃iudicio alterius quam medij, attornare se potest capitali domino, quod dictum est pro mulieribus tenentibus in dotem, & tenentibus per legem Angliæ, vel aliter ad terminum vitæ, vel per feodum talliatum, quibus pro aliquibus causis nondum est provisum remedium: sed (Deo dante) alias providebitur.

*Iustices in eyre 3. cap. 10.*

Cū in itinere iustic' pclamaf fuerit, qd omnes qui bñia liberaf voluerint, ea liberet infra certum t̃minum, post quē nullū bñe recipiatur, multi de hoc cōfidētes, cū morā fecerint vsq; ad p̃dictum terminū, & nullū bñe sup̃ eos fuerit

fuerit liberatum, de licentia iustic' recedat, post quor' recessum aduersarij sui ipsorum absens percipientes, breuia sua porrigat in cera, que aliquando p' fauorem, aliquando p' dono p' vicecomitem recipiuntur, & illi, qui secure credebant recessisse, tēn sua amittunt: vt huiusmodi fraudi subueniatur impofterum, statuit dominus rex, quod iustic' in itineribus suis statuāt tēn quindenar', vel mensis, minoris vel maioris termini, secū d qd com fuerit maior vel minor, infra quem terminum public' p'clameretur, qd omnes qui breuia liberare voluerint, ea liberent infra terminum illum. Et in aduentum illius termini certificet vic' capitali iustic' itineranti, quot breuia habet, & que, & quod vltra illum tēn nullū b'fe recipiatur qd si receptum fuerit, processus per illud factus pro nullo habeatur: excepto quod breue cassatum durante toto itinere releuari poterit. Breue etiam de dote de viris qui obierint al' seifiti infra summonitionem itineris, assise vltimę p'æsentationis, & quare impedit, de ecclesijs vacantibus, infra summonitionē p'd, quocunque tempore ante recessum iustic' recipiantur in itinere. Breuia etiam nouę disseisinę, quocunque tempore facta fuerit disseisina, recipiantur in itineribus iustic'.

*Attorney 2. cap. 11.*

Concedit dñs rex de gratia speciali, quod illi qui habent tēn in diuersis com, in quibus iustic' itinerant, vel de quibusdam tēn in com in quo iustic' non itinerat timēt implacitā,

## Westm second.

& de alijs tē in com, in quo Iustic' non itinerant, implacentur: vt coram Iustic' apud Westm, vel de banco domini Regis, vel coram Iusticiarijs ad Assisas capiendas assignatis, vel in aliquo comitatu coram vic', vel in aliqua Cuf Baroñ, facere possint generalem attornat ad prosequendum pro eis in omnibus placitis in itinere Iustic' pro ipsis, vel contra ipsos motis vel mouendis, durante itinere. Qui quidem Attornatus, vel Actorñ, habeat potestatem in placitis motis in itinere quousque placitum terminetur, vel dominus suus ipsum amouerit, nec per hoc excusentur, quin sint in iuratis, & assisis, coram eisdem Iustic'.

### *Accompt 2. cap. 12.*

De seruientibus, balliuis, camerarijs, & quibuscunq; receptoribus, qui ad compotum reddendū tenentur: Concordatum est & statutum, quod cum dominus huiusmodi seruient dederit eis auditores compoti, & contingat ipsos esse in arrearagijs super compotum suum omnibus allocatis, & allocandis, arrestentur corpora eorum, & per testimonium auditorum eiusdem compoti, mittantur & liberentur pñm gaolę domini Regis in partibus illis, & à vic' seu custode eiusdem gaolę recipiantur, & carceri mancipentur in ferris, & sub bona custodia, & in illa prisoa remaneant de suo pprio viuentes, quousque dñs suis de arrearagijs plenarię satisfecerint. At tñ si quis sic gaolę libertatē conqueratur, qđ auditores cōpoti sui ipsum iniuste grauauerūt,  
onerando

onerando ipsum de receptis quæ non reco-  
pit, vel non allocando ei expensas aut libe-  
rationes rationabiles, & inueniat amicos,  
qui cum manucapere voluerint ad ducendū  
coram Baronibus de Scaccario, liberatur eis,  
& scire faciat vicecom̃ (in cuius prisione fue-  
rit) domino, qđ sit coram Baronibus de scac-  
cario ad aliquē certū diē cum totulis & alijs,  
p quos compotū suū reddiderit, & in p̃sentia  
Baronū vel auditorū, quos assignare volue-  
rint, recitetur compotus, & fiat partibus iusti-  
tia, ita quod si fuerit in arrearagijs, cōmittatur  
Gaolx de Fleete, vt supradictū est. Et si diffu-  
gerit, & gratis compotum reddere noluerit,  
sicut in alijs statutis alibi continetur. *Marle-  
bridge cap. 23.* Distringatur ad veniendum  
coram Iusticiarijs, ad compotum reddendū,  
si habeat per quod distringi possit. Et cum ad  
curiā venerit, dentur ei Auditores compoti,  
coram quibus si fuerit in arrearagijs, & statim  
arrearag' soluere non possit, committatur ga-  
olx custodiendum in forma p̃d. Et si diffu-  
gerit, & testificatum fuerit p Vic', qđ non sit  
inuentus, exigatur de com̃ in comitatū, quo-  
usque vtlagetur. Et sit h̃modi incarceratus  
irreplegiabilis. Et caueat sibi vic', vel custos  
eiusd' gaolx, siue sit infra libertatē siue extra,  
quod p commune breue, qđ dicitur Reple-  
giare, vel alio modo sine assensu dñi ipsum a  
prisione exire non permittat: Quod si fecerit,  
& sup hoc conuincatur, respondeat domino  
de damnis, per huiusmodi seruientem sibi  
illatis, secundum quod per patriam verificare  
poterit,



## Westm second.

poterit, & habeat dominus suum recuperare per breue de debito *versus custodem*. Et si custos gaolæ non habeat, p quod iusticietur, vel vnde soluat, respondeat superior suus qui custodiam huiusmodi sibi gaolæ commisit, per idem breue.

*Appeales 4. cap. 13.*

Quia multi per malitiam volentes alios grauare, procurant falsa appella fieri de homicidijs, & alijs felonijs, per appellatores nihil habentes, vnde domino Regi, pro falso appello, nec appellatis de damnis respōdere possint: Statutum est, quod cum aliquis sic appellatus de feloniam sibi imposta, se acquietauerit in curia Regis modo debito, vel ad sectam appellatoris, vel domini Regis, iusticiarij coram quibus auditum erit hmodi appellum & terminat, puniant appellatorem p prisonam vnus anni, & nihilominus restituant huiusmodi appellatores damna appellatis, secundum discretionem iustic, habito respectu ad prisonam vel arrestationē quam occasione hmodi appelloꝝ sustinuerint appellati, & ad infamiam suam, quam per imprisonmentum, vel alio modo incurrerunt, & nihilominus versus dominū Regem grauiter redimantur. Et si fortē hmodi appellatores non habeant, vnde p̄dicta damna restituere possint, inquiratur p quorum abbettū formatum fuerit huiusmodi appellum, per malitiam, si appellatus hoc petat. Et si inueniatur per illam inquisitionem, qd aliquis sit abbettator p malitiam, per breue de iudicio,  
ad

ad sextam appellati, distringatur ad veniendum coram iustic'. Et si legitimo modo convictus fuerit de hñdi abbetto p malitiã, puniatur per prisonam, & teneatur ad restitutionem damnorum, sicut superius dictum est de appellatore. *Vide anno 1. R. 2. cap. 13.*

*Essoine 7. cap. 14.*

Nec iaceat de cætero appellatori in appello de morte hominis essoniũ, in quacunque curia vbi appellum fuerit terminandum.

*Indictments 1. cap. 15.*

Quia etiam Vicecom̃ multotiens fingentes aliquos coram eis in Turnis suis indictatos de furtis, & alijs malefactis, capiunt homines non culpabiles, nec legitimo modo indictatos, & eos imprisonant, vt ab eis pecuniam extorqueant, cum legitimo modo p duodecim Iuratores non fuerint indictati: Statutum est, qđ Vic' in Turnis suis, & alibi, cum inquirere habeant de malefactoribus p preceptum Regis, vel ex officio suo, per legales homines ad minus duodecim faciant inquisitiones suas de hñodi malefactoribus, qui huiusmodi inquisitionibus sigilla sua apponant, & illos quos per hñodi inquisitiones inuenerint culpabiles, capiant & imprisoner, secundum qđ alias fieri consuevit. Et si aliquos aliter imprisonauerint, quam per huiusmodi inquisitiones indictatos, habeant huiusmodi imprisonati actionem suam per breue de imprisonamento versus Vicecomitem, sic vt haberent versus quancunque aliam personam, qui eos imprisonaret sine

War-

## Westm second.

Warranto. Et sicut dictum est de vicecom̃, obseruetur de quolibet balliuo libertatis.

*Wast. 5. cap. 16.*

Cum de vasto facto in hæreditate alicuius per custodes, tenentes in dorem, per legem Anglie, vel aliter ad finium vitæ, vel annorum, consueuerit fieri breue de prohibitione vasti, per quod breue multi fuerunt in errore, credentes quod illi qui vastum fecerint, non habuerint necesse respondere, nisi tamen de vasto facto post prohibitionem eis directam. Dominus Rex (vt huiusmodi error de cætero tollatur) statuit, quod de vasto quocunque ad nocumentum alicuius facto, non fiat de cætero breue de prohibitione, sed breue de summonitione, ita quod ille, de quo queritur, respondeat de vasto facto quocunque tempore. Et si post summonitionem non venerit, attachietur, & post attachiamentum distringatur, & post distractionem, si non venerit, mandetur vice, quod in propria persona, assumptis secum xij. &c. accedat ad locum vastatum, & inquireat de vasto facto, & retorne inquisitionem. Postquam retornata fuerit inquisitio, procedatur ad iudicium, secundum quod continetur in statuto prius addito apud Gloc' cap. 5. de vasto, 20. E. 1.

*Prochein amy 2. cap. 17.*

In omni casu quo minores infra ætatem implacitare possunt: Concessum est, quod si huiusmodi minores elongati sint, quod minus personaliter sequi possint, propinquiores amici admittantur ad sequendum pro eis, Westm 1. cap. 47.

*Wardes*

Wards II. cap. 18.

In casu quo alicui minori descendat hereditas ex parte patris, qui tenuit de vno dño, & ex pte matris quæ tenuit de alio domino, dubitatio hucusq; extitit de maritagio huiusmodi minoris, ad quæ de duobus dominis p-tineat. Concordatum est, qđ ille dominus de cætero habeat maritagiũ, de quo antecessor suus prius fuit feoffatus, non habito respectu ad sexũ, nec ad quantitatem teneĩti, sed solummodo ad antiquius feoffamentũ p seruicium militare.

Essone 8. cap. 19.

In Itinere Iustic' non admittatur de cæter effoniũ de Malo lecti, de tenemento in eodẽ comitatu, nisi ille, qui se facit effoniari, veracitè sit infirmus, quia si excipiat a petete, qđ tenens non est infirmus, nec in illo statu quo minus venire potuit coram Iusticiarijs, admittatur eis calumnia. Et si hoc per inquisitionem conuinci poterit, vertatur illud effoniũ in default. Nec fiat de cætero illud effoniũ in bñe de Recto inter duos clamantes p eundẽ discesum.

Execution 1. cap. 20.

Cũ debitum fuerit recuperatũ, vel incuria regis recognitum, vel damna adiudicata, sit de cætero in electione, illius qui sequitur pro hĩmodi debiti, aut damnis, sequi bñe qđ Vic' fieri faciat, de terris & catall' debitoris, vel qđ Vic' liberet ei omnia caralla debitoris (exceptis bobus & asinis caruæ) & medietatem terræ suę, quousque debĩt fuerit leuaf  
per

## Westm̄ second.

per rationabile preciū & extent. Et si eijciatur de illo tenemento, habeat recuperare p breue Nouę disseisine, & postea per breue de Redisseisina, si necesse fuerit.

*Ordinaries 1. cap. 21.*

Cum post mortem alicuius decedentis intestati, & obligati aliquibus in debito, bona deueniant ad Ordinarium disponendū, obligetur de cetero Ordinarius ad respondendū de debitis quatenus bona defuncti sufficiunt. Eodem modo quo Executores respondere tenerentur, si testamentum fecisset.

*Cosinage 1. cap. 22.*

Cum Iusticiarij in plaeito mortis antecessoris consueuerunt admittere responsonem tenentis, quod petēs non est p̄p̄inquirior hares antecessoris, de cui⁹ morte tenēs petitur, & hoc parat est per assisam inquirere: Concordatum est, qđ in breuibus de consanguinitate, auo & proauo, quę sunt eiusdē nature, admittatur illa responso, & inquiratur, & secundū illā inq̄sitionē ad iudiciū pcedatur.

*Cessauit 3. cap. 23.*

Cum in statuto ædito apud Gloucest̄r *ca. 4.* contineatur, quod si quis dimiserit terram alicui ad reddendum valorem quarte partis tenementi, vel maioris, habeat ille qui dimisit, vel eius heres *postquam cessatum fuerit a solutione per biennium*, actionem petendi tenē sic dimissum in dominico. Eodē modo concordatum est, quod si quis detineat dño suo seruitium debitū & consuetum per biennium, habeat dominus actionem petendū tenē  
in

in dominico per tale breue : **Præcipe A.** qđ iuste &c. reddat B. tale tenē qđ A. de eo tenuit p tale seruitiū, & qđ ad p̄dict B. reuerti debet, eo quod p̄dictus A. in faciendū p̄dict seruitiū per bienniū cessauit, vt dicit. Et nō solū in isto casu, sed in casu de quo fit mentio in p̄dicto statuto Glouc', fiant b̄ria de Ingressu h̄eredi petenti sup h̄redem tenentē, & super eos quibus alienatū fuerit h̄modi tenē.

23. Cum duo vel plures teneant boscū, turbariam, piscariam, vel alia h̄modi in cōmuni, absque hoc quod aliquis sciat suum seperale, & aliquis eorū faciat vastum contra voluntatem alterius, moueatur actio per breue de Vasto. Et habeat defendens, cum ad iudiciū venerit, electionem capiēdi partem suam in certo loco per Vic', & per visum & sacm, ac assignationē vicinorū ad hoc electorū & iuratorū, vel quod concedat quod nihil capiat de cætero in h̄modi bosco, turbaria, & alijs, nisi secundū qđ particeps sui capere voluerint. Et si eligat capere partem suam in certo loco, assignetur ei locus vastatus in suā p̄tē, secundū qđ fuit antequā vastum fecit. Et est tale breue in hoc casu, scilicet : Cum A. & B. teneant boscū per indiuisū, B. fecit vastū &c.

*Executors 1. cap. 14.*

Habeāt de cætero Executores b̄re de cōpoto, & eandē actionē & p̄cessū p illud b̄re, quale habuit mortuus, & haberet si vixisset.

*Nusans 1. cap. 25.*

In casibus in quibus conceditur breue in Cancellaria de facto alicuius, de cætero  
non

## Westmsecond.

non recedant querentes à curia Regis sine remedio, pro eo quod tēsi transfertur de vno in alium. Et in registro de Cancellaria non est inuentum aliquod breue in isto casu speciale, sicut de muro, domo, mercato, conceditur breue super eū qui leuauit ad nocumentum. Et si transferatur domus, murus, & his similia, in aliam personam, breue non denegetur, sed de cætero cum in vno casu conceditur breue, in consimili casu simili remedio indigente, sicut prius, fiat breue: Questus est nobis A. qđ B. iniuste &c. leuauit domum, murum, mercatum, & alia quæ sūt ad nocumentum liberi tenementi sui. Et si huiusmodi leuata ad nocumentum transferantur in aliam personam, de cætero fiat breue sic: Questus est nobis A. quod B. & C. leuauerunt &c.

¶ *Quod permittat 1. cap. 26.*

Eodem modo sicut persona alicuius Ecclesie recuperare potest communem pasturam per breue Nouæ diss. Eodem modo de cætero recuperet successor super disseisitorē, vel eius hæredem, per breue, Quod permittat, licet huiusmodi breue prius in Cancellaria non fuerit concessum.

*Iuris utrum 1. cap. 27.*

Eodē modo sicut conceditur breue, vtrum aliquod tēsi sit liber elemosina alicuius Ecclesie, vel laicū feodi talis, fiat de cætero breue vtrū sit libera elemos. talis ecclesie, vel alterius ecclesie, in casu quo liber elemosina vni ecclesie transferatur in possess. alterius ecclesie.

*Writ;*

Writs 1. cap. 28.

Et quotienscunq; de cætero euenerit in Cancellariâ, quod in vno casu reperitur breue, & in consimili casu cadente sub eodem iure, & simili indigenti remedio non reperitur, concordent Clerici de Cancellaria in breui faciendo, vel atterminent quærentes in proximum parliamentum, & scribantur casus in quibus concordare non possunt, & referant eos ad proximum parliamentum, & de consensu iurisperitorum fiat breue, ne contingat de cætero quod curia domini Regis deficiat conquerentibus in iusticia perquirenda.

Assise 3. cap. 29.

Quia non est aliquod breue in Cancellaria, per quod querentes habeant tam festinû remedium, sicut per breue Nouæ disseisinæ: dominus Rex voluntatē habens ut celeris fiat iusticia, & quod dilationes in placitis communis amputentur & abreuietur, concedit quod breue Assise nouæ disseisinæ locū habeat in pluribus casibus quam prius habuit. Et concedit quod de esto-uerijs bosci, proficuo capiendū in bosco, de nucibus, & glandibus, & alijs fructibus colligendū, de corrodio, liberatione bladi, & aliorum victualium, ac necessariorum in certo loco annuatim recipiendū, tolneto, tōnagio, passagio, pontagio, pannagio, & hijs similibus in certis locis capiendū, custodijs boscorum, parcorum, forestarum, chascarum, warrennarum, portarum, & alijs balliuis, & officiarum de feodo iaceat de cætero Assisa nouæ disseisinæ. Et in omnibus supradictis casibus modo consueto fiat

K

breue



## Westm̄ second.

breue de libero tenēto. Et sicut prius iacuit,  
& locum habuit in communia pasturæ, ita  
de cæter locum habeat in communia turba-  
riæ, piscariæ, & alijs communi his similibus,  
quas quis habet pertinentes ad liberum tenē,  
vel etiam sine tenē per speciale factum, ad mi-  
nus ad terminū vitæ. In casu etiam quando  
quis tenens ad terminū annorum, vel in cu-  
stod, illud alienat in feod, & per illam alie-  
nationem transfertur liberum tenementū in  
feoffatum, fiat remedium per breue Nouæ  
disseis. & habeantur p̄ disseisitoribus tam ille  
qui feoffat, quam feoffatus, ita quod viuente  
altero eorum locum habeat prædict' breue.  
Et si per mortem personæ cesset remedium  
per prædict' breue, fiat remediū p̄ breue de ingressu.  
Et quamuis sup̄ius fiat mentio de aliquibus  
casibus de quibus locū non habuit prius breue  
Nouæ disseisine, non p̄ter hoc credet aliquis  
illud breue non competere, vbi pri' cōpeterat.  
Et licet dubitauerint quidā, vtrū in casu quo  
quis pascat alterius seperale, fieri poterit re-  
mediū p̄ prædict' breue, teneatur pro certo, qđ in  
casu illo p̄ prædict' breue bonū & certū est remediū.  
Caueant de cætero illi qui nominati sūt dis-  
seisitores, qđ nō p̄ponāt falsas exceptiones,  
per quas captio assise differatur, quando qđ  
alias transiuit assisa de eodem tenē inter eas-  
dem partes, vel dicēdo & mentiēdo, qđ  
breue de altiori natura pender inter easdem  
partes, de eodem tenē, & sup̄ his & consimi-  
libus vocent rotulos, vel recordum ad war-  
rantum, vt per illam vocationem asportare  
possint

possint vesturam, & leuare redditus, & alia  
 proficua ad magnum detrimentū querentis.  
 Et quia prius aliam pœnam non habuit, qui  
 huiusmodi falsas exceptiones mendaciter  
 proposuit, nisi tantum quod post mendatium  
 suum conuictum, processum fuit ad captio-  
 nem assisæ: Dominus Rex, cui odiose sunt  
 huiusmodi false exceptiones, statuit, quod si  
 quis disseisitor nominatus personaliter pro-  
 ponat illam exceptionem ad diem sibi datū,  
 & defecerit de warrāto quod vocauit, habe-  
 atur pro disseisitore absque recognitione as-  
 sisæ, & restituat damna pri<sup>o</sup> inquisita, vel post  
 inquirenda de duplo, & nihilominus pro fal-  
 sitate sua puniatur per prisonā vnus anni. Et  
 si illa exceptio proponatur per ballium, nō  
 propter hoc differatur captio assisæ, nec iu-  
 diciū super restitutione ten<sup>i</sup>, & dampnum.  
 Ita tamen, quod si dominus illius balliui, qnī  
 absens fuerit, postmodum veniat corā Iustic<sup>i</sup>  
 qui assisam ceperint, & offerat verificare per  
 recordum, vel per rotulos, quod assisa alias  
 trauisuit de eodem ten<sup>i</sup> inde inter easdē par-  
 tes, vel quod querens alias se retraxit de  
 breue consimili, vel placit<sup>i</sup> pendeat per breue  
 de altiori natur<sup>e</sup>: fiat ei breue de faciendo ve-  
 nire super hoc recordum. Et cum illud ha-  
 buerit, & videant Iustic<sup>i</sup> quod recordum ita  
 ei missum valeret ante iudiciū, quod  
 per illud excludetur querens ab actione sua,  
 statim faciant Iustic<sup>i</sup> scis parti quę recupera-  
 uit, quod sit ad certum diem, ad quem reha-  
 beat defendens scisinam suam, & damna si  
 quę

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quæ prius soluit per primum iudicium, simul cum damnis quæ habuit post primum iudicium redditum, quæ ei restituatur in duplo, sicut supradictum est : & nihilominus puniatur ille qui primo recuperavit, per prisonam secundum discretionem Iusticiariorum. Eodem modo si defendens contra quem transiuit assisa, in sua absentia ostendat chartas, vel quiet claim, super quarum confessione non fuerunt Iurati examinati, nec examinari poterunt, pro eo quod de eis non fiebat mentio in placitando, & probabiliter ignorare potuerunt confessionem huiusmodi scriptorum : Iusticiarius visis scriptis illis faciant scire parti que recuperavit, quod sit ad certum diem coram eis, & venire faciat Iurati eiusdem assise. Et si per veredictum Iuratorum, vel forte per irrotulamentum scripta illa verificauerint, puniatur illi, qui assisam impetrauit contra factum suum per poenam supradictam. Nec capiat Vic' de cætero bouem a disseisito, sed à disseisitore tamen. Et si plures sint disseisitores in vno breue nominati, nihilominus de vno boue sit contentus: nec exigit bouem nisi de precio v. s. vel præcium.

*Redisseisin 3. cap. 30.*

In breuib' de Redisseisina adiudicent de ceteris damna in duplo: redisseisitores de cetero irreplegiabiles per comune bñe. Et sicut in statuto de Merton, ca. 3. p̄uisu fuit illud bñe de his qui disseisiti fuerunt postquam recuperauerunt p̄ Assisam no. disseisine, mortis antecessoris, aut p̄ alias iuratas: Vtcrius de ceto habeat

Firzh. Nat.

bñe. fol. 24. a.

habeat illud breue locum in illis qui recuperauerint p defaultam, redditiō, aut alio modo sine recognitione assisar vel iuratarum.

*Essoine 9. cap. 31.*

Postquam aliquis imposuerit se in inquisitionem aliquam ad pxiū diem, allocetur ei essoniam, sed ad alios dies sequentes p essoniam non differatur captio inquisitionis, siue prius habuit essoniam siue non. Nec admittatur essoniam post diem dat de prece partium in casu in quo partes consentiunt venire sine essonio.

*Essoine 10. cap. 32.*

Cum per statutum Westm primer cap. 41. statuatur, qd postquam tenentes semel comparauerint in curia, non allocetur eis essoniam in breuibus assisam: Eodem modo de cetero obseruetur de petentibus.

*Oyer & terminer 1. cap. 33.*

Breue de transgr ad audiendum & terminandum, de cetero non concedatur coram aliquibus Iustic' except Iustic' de vtroque banco, & Iustic' itinerant, nisi pro enormi transgr vbi necesse est apponere festinum remedium, & dominus Rex de gratia sua speciali hoc duxit concedendū. Nec etiam de cetero concedatur breue ad audiendum & terminandum appella coram Iustic' assign, nisi in speciali casu, & certa causa cum dominus Rex hoc preceperit. Sed ne huiusmodi appellati, vel indictati diu detineantur in prisoa, habeant breue de Odio & atia, sicut in Magna Charta cap. 16. & alijs sta-

## Westm̃ second.

rutis dictum est. *W. 1. cap. 11. Gloc' cap. 9.*

*Nisi prius 1. cap. 34.*

Assignenter de cætero duo Iustic' iurati, coram quibus, & non alijs capiantur Assisæ no. disceisine, mortis antecessoris, & attincte, & associant sibi duos vel vnum de discretioribus Militibus com̃ in quẽ venerint, & capiant assisas prædict', & attinctas, ad plus ter p̃ annum, viz. semel iñt quindenam S. Ioh̃is Bap̃t, & gulam Augusti, & iterũ iñt festum Exaltationis S. Crucis, & Octab. Sancti Michaelis, & tertio iñt festum Epiphani, & festum Purificationis beatæ Mariæ. Et in quolibet comitatu ad quamlibet captionem assisæ, antequã recedant, statuant diẽ de redditu suo, ita qđ omnes de com̃ scire possint eorum aduentũ, & de t̃mino in t̃minum adiournent Assisas.

Si p̃ vocationem warranti, per essoñ, vel per defectum recognitorum, ad vnum diem captio earundem differatur. Et si aliqua causa viderint quod vtile sit, quod assisæ mortis antecessoris per essoñ, vel vocationem warranti respectuatẽ adiournent in banco, liceat eis hoc facere, & tunc mittant Iustic' de banco recordum, cum breui originali. Et cum loquela peruenerit ad captionem assisæ, remittatur loquela cum breui originali per Iustic' de banco, ad priores Iustic' coram quibus capiat assisa. Sed de cætero dent Iustic' de banco in huiusmodi assisis ad minus quatuor dies per annum, coram præfat' Iustic' assigñ, vt parceant laboribus & expensis. Atterminentur inquisitiones capiend' transg̃ placit'

ciſ coram Iuſtic' de vtroque banco, niſi ita  
 enormis ſit tranſgr̄, quod magna indigeat  
 examinatione. Atterminentur etiam in-  
 quiſitiones coram eis de alijs placitis in vtroque  
 banco, in quibus facilis examinatio, vt  
 quando dediciſ ingreſſus, vel ſeiſina alicuius,  
 vel in caſa quando de vno articulo ſit inqui-  
 rend'. Sed inquiſitiones de groſſis & pluri-  
 bus articulis, quæ magna indigeant exami-  
 natione, capiantur coram Iuſticiaſ de ban-  
 cis, niſi ambæ partēs petant, quod inquiſitio  
 capiatur coram aliquibus de ſocietate, cum  
 in partes illas venerint, quod de cætero non  
 fiat niſi per duos Iuſticiarios vel vnum, cum  
 aliquo milite de com̄, in quem partes con-  
 ſentiunt. Nec atterminentur huiusmodi in-  
 quiſitiones coram aliquibus Iuſticiarijs de  
 banco, niſi ſtatuat certus dies & locus in  
 com̄ in præſenti partium, & dies & locus  
 inferantur in breui de iudicio per hæc verba.  
 Præcipimus tibi quod venire fac' coram Iu-  
 ſticiarijs noſtris apud Weſtminſter in octab'  
 S. Michaelis, niſi talis & talis die & loco ad  
 partes illas venerint, xij. &c. Et cum huius-  
 modi inquiſitiones capte fuerint, retornen-  
 tur in bancis, & ibi fiat iudicium, & irrotu-  
 lentur. Et ſi omiſſa forma prædict' aliquæ  
 inquiſitiones capiantur, pro nullis habeantur,  
 excepto quod Aſſiſe vltime præſenta-  
 tionis, & inquiſitiones ſuper Quare im-  
 ped' atterminentur in p̄prio com̄ coram vno  
 Iuſticiaſ de banco, & vno Milite, ad certos  
 tamen diem & locum in banco ſtatuos,

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& siue defendens consentiat siue non: & ibi statim reddat iudicium, vide 12.E.2. stat. Eborum cap.3. Habeant de cætero omnes Iustic' de bancis in itineribus clericos irrotulantes omnia placita coram eis placitat, sicut antiquitus habere consueuerunt. Item ordinatū est, quod Iusticiarij ad assisas capiendas assignat non compellant Iuratos dicere precise, si sit disseisina vel non, dummodo dicere voluerint veritatem facti, & petere auxilium Iustic'. Sed si sponte velint dicere, quod disseisina est, vel non, admittatur eorū veredictū sub suo periculo. Et de cætero non ponant Iustic' in assisis aut iuratis, aliquos iuras, nisi eos qui ad hoc prius fuerunt sum. de finibus leuatis 27.E.1.cap.4.

### Exception 1. cap.35.

Cum aliquis implacitat coram aliquibus Iustic' proponat exceptionem, & petat quod Iustic' eam allocent quam si allocare noluerint, & ille qui exceptionem proposuerit, scribat illam exceptionem, & petat quod Iustic' sigillum suū apponāt in testimonio, Iusticiarij apponant sigilla sua. Et si vnus appones noluerit, apponat alius de societate. Et si forte ad queremoniā de facto Iusticiariorum venire fac', dominus Rex recordum coram eo, & si illa exceptio non inueniatur in rotul', & querens ostendat exceptionem scriptam sub sigillo Iustic' appensio, mandetur Iusticiario, quod sit ad certum diem ad cognoscendum sigillum suum, vel ad dedicendum. Et sit Iustic' sigillum suū dedicere non possit, procedatur

datur ad iudicium secundum illam exceptionem, prout admittendū esset vel cassandū.

*Mortmaine 2. cap. 36.*

Cum viri Religiosi, & alie personæ Ecclesiasticę implacitent aliquem, & implacitatus fecerit defaltam, ob quam tenementū amittere debeat, quia Iustici' hucusque tenuerunt, quod si implacitatus fecerit defaltā p collusione, vt cū petens occasione statuti *de Religiosis anno 7. Ed. 1.* per titulum doni, vel alterius alienationis, scisinam de tenemento consequi non possit, per illam defaltam consequeretur, & sic fieret fraus statuto: Ordinatum est p dominum Regem, & concessum in hoc casu, qđ postquam defalta facta fuerit, inquiratur per patriam, vtrū petens habeat ius in sua petitione vel non. Et si comptum fuerit, quod petens ius habuerit, procedatur ad iudiciū p petente, & recuperet scisinam suā. Et si ius non habuerit, incurratur tēn pxi-mo domino feodi, si illud petat infra annū a tempore inquisitionis capte. Et si infra annum non petat, superiori domino incurratur si petat infra dimidium annum post illum annū. Et sic habeat quilibet dominus post proximum dominū, spacium dimidij anni ad petendum successiue, quousquē perueniatur ad regem, cui ad vltimum pro defectu aliorum dominorum tenementum incurratur. Et ad calumpniandum Iuratores inquisitionis, admittantur quicunque capitales domini feodorum, & similiter pro Rege qui calumniare voluerint. Et remaneat terra, postquā iudiciū

datum



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datum fuerit in manu domini Regis quousq;  
teti per petentem, vel per aliquem capitalem  
dominum distracionetur, & oneretur Vic' ad  
respondendū inde ad scaccarium.

*Crosses 1. cap. 37.*

Quia multi tenentes erigunt cruces in te-  
nementis suis, aut erigi permittunt, in prei-  
udicium dominorum suorum, vt tenentes per  
priuilegium Templariorum & Hospitaliorū  
tueri se possent contra capitales dños feodo-  
rum: Statutum est, quod huiusmodi tenē ca-  
pitalibus dñis, aut Regi incurrantur. Eodem  
modo quo statuit alibi de tenement alienat  
ad manum mortuam. *De Religiosis 7. E. 1.*

*Rape 2. cap. 38.*

**P**orniceo est, que si home rabiſt ſeme es-  
ſpouſe, dameſeit, ou auter ſeme de ſozmes, p  
la ou el ne ſoit aſſentus, ne auant, ne apres,  
ept iudgement de vie & de membre. Et enſe-  
ment per la ou home rabiſt ſeme, dame es-  
pouſe, dameſeit, ou auter ſeme a foſce, tout  
ſoit q̄ el ſoy aſſent apres, eit tiel iudgement  
come deuant eit dit, ſi ſoit attain a le ſuit le  
Roy, & eit le Roy la ſuit. De Mulier abdu-  
ctis cum bonis virorū ſuoſ, habeat Rex ſecū  
de bonis ſic aſportatis. Et ſi vxor ſponte re-  
liquerit virum ſuū, & abierit, & moretur cum  
adulterio ſuo, amittat in perpetuum actionē  
petendi dotem ſuā, quē ei competere poſſet  
de tenē viri ſui, ſi ſuper hoc conuincatur, niſi  
vir ſous ſponte, & abſquē cohertione Eccle-  
ſiaſtica eam reconciliet, & ſecum cohabitare  
permittat, in quo caſu reſtituatur ei actio.  
Qui

Elopement  
Perkins 354.

Qui monialē a domo sua abducatur, licet monialis consentiat, puniatur p̄ prisonam trium annorum, & satisfaciatur domui a qua abducta fuerit, competentē : *et* nihilominus redimatur ad voluntatem Regis.

*Wardes 12. cap. 39.*

De pueris masculis, siue femellis, (quorum maritagiū ad aliquem pertineat) raptis & abductis, si ille qui rapuit non habens ius in maritagio, licet postmodū restituat puerum non maritatū, vel de maritagio satisfecerit, puniatur tamen pro transgressiōe per prisonam duorum annorū. Et si non restituerit, vel heredem post annos nobiles maritauerit, & de maritagio satisfacere non potuerit, abiuret regnum, vel habeat perpetuam prisonam. Et sup̄ hoc habeat querens tale breue : Si A. fecerit te securum &c. tunc pone per vad̄ &c. B. quod sit coram Iusticiarijs nr̄is &c. ostens, quare talem h̄redē infra ætatem existentē, cuius maritagiū ad ipsū A. pertinet, apud C. inuentum, tali loco rapuit & abduxit, contra *Flz h. Nat. bñc. fol. 139 d.* voluntatem ipsius A. & cōtra pacem &c. Et si h̄eres sit in eodē comitatu tunc addatur ista clausula. Et diligenter inquiras vbi ille h̄eres sit in balliua tua, & ipsum vbi cunq; inuētus fuerit capias, & saluo & secure custodias, ita qđ eum habeas coram p̄fat̄ Iusticiarijs nr̄is ad p̄fat̄ iminum, ad reddendū cui p̄dictorum A. & B. reddi debeat. Et fiat secta versus partem de qua queritur, quousq; p̄ districtiōnē venerit, si habeat p̄ qđ distringi poterit, vel p̄ cōtumar̄iā (si nō sit iustificabilis) exigatur, & vldget̄.

*Si*

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Si fortè huiusmodi heres ducatur, & transferatur in alium comitat, tunc Vic' illius comitatus fiat tale bñe sub hac forma: Questus est nobis A. qđ B. nuper talem h̄redem infra gr̄atem, & in custodia sua existenē, tali loco in comitatu tali, rapuit, & de comitatu illo ad talem locū in com̄ tuo abduxit, contra voluntatem ipsius A. & contra pacem &c. Et ideo tibi p̄cipimus, qđ p̄dictū h̄redem, vbicunque eum in balliua tua inuenire poteris, capias, & saluo & secure eum custodias, ita quod eum habeas coram Iusticiarijs nostris &c. tali loco & die, quem diem idem A. habet versus p̄dictū B. ad reddendū cui de iure reddi debeat. Et si h̄res antequam inueniri poterit, vel antequā restituatur quietēti, obierit, nihilominus p̄cedat placitum int̄ eos, quousq; terminetur, cui restitui deberet, si superstes fuisset. Nec excusabitur aut alleuiabitur ille, qui iniuste rapuit h̄modi h̄redē de poena supradicta p̄ mortē h̄redē, cuius extitit male fidei possessor dum vixit. Et si querens obierit ante placitum t̄minatur, si ius ei comperebat ratione p̄prij feodi sui, resummonetur loquela ad sectam h̄redē querentis, & p̄cedat placitū debito ordi. Si vero p̄ alium titulum competat ei ius, sicut titulo donationis, venditionis, aut alio h̄modi titulo, tunc resummoneat loquela ad sectam executor querentis, & procedat placitū vt p̄dictum est. Eodem modo si morlatur pars defendens antequam placitū terminetur, vel h̄res restituatur, p̄cedat placitū per resum̄m inter querentem, vel eius

eius hæredem, seu executores, & executores defendentis, vel eius hæredes, si executores non sufficiant, quo ad satisfactionē de valore maritagij, secundū quod in alijs statutis continetur, sed non quo ad pœnam prisonę, quia quis pro alieno factio non est puniendus. Eodē modo cum pendeat placitum inter partes de custodia terrę, vel hæredis, vel vtriusque per commune breue, quod incipit: *Pręcipe tali &c.* quod reddat &c. fiat resummonitio inter hæredes & executores querentis, & similiter heredes aut executores defendantis, si mors alteram partē preueniat ante placitū terminatū. Etcum perueniatur ad magnā distictionem, detur terminus infra quem tres com teneantur ad minus, in quorū quolibet comitatu fiat publica proclamatio qđ deforciator veniat ad bancum, ad diē in breue contentū, responsurus querenti. Ad quem diem si non venerit, & proclamatio sic semel, secundo, & tertio testificatū fuerit, pcedatur ad iudiciū pro querente: salvo iure defendentis, si postmodum inde loqui voluerit. Eodem modo fiat in breui de transgressi, cum quis queritur, se eiectum fuisse de hñodi custodijs.

*Procuraments 1. cap. 40.*

Qui dñi curias, & alij qui curiam tenent, & Senescalli, volētes grauare subditos suos, cum non habeant legalē viam eos grauādi, procurant alios mouere querelas versus eos, & dare vadium, & offerre plegios, vel impetrare breuia, & ad sectas hñodi querentium compellunt eos sequi comitatū, hñdredum, wapen-

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wapentagium, & cur, quousque finem fecerint cum ipsis pro voluntate sua: Statutum est, quod hoc de cetero non fiat. Et si aliquis per huiusmodi falsas queremonias fuerit attachiatus, replegiat districtione suam sic captam, & poni fac' loquelam coram Iusticiarijs, coram quibus si Vicecomes, vel alius balliuus, vel dominus, postquam sit districtus formauerit querimoniam suam, aduocauerit iustam districtionem ratione huiusmodi querimoniarum coram eis factarum, & replicet, quod huiusmodi querimonie mouebantur versus eos maliciose, ad instantiam seu procuracionem Vic', aut aliorum balliuorum, aut dominorum, admittatur illa replicatio. Et si super hoc conuicti fuerint, versus dominum Regē redimantur, & nihilominus huiusmodi sic grauatis, damna in triplo restituantur.

*Distresses 7. cap. 41.*

Quia etiā Balliui, ad quos ex officio pertinet districtiones facere, grauare volentes subditos suos, vt ab eis pecuniam extorqueant, mittunt ignotos ad faciend' districtiones, ea intentione, vt subditos grauare possunt, per hoc quod sic districti non habentes noticiam personarum non permittunt huiusmodi districtiones super eos fieri: Statutum est, quod nulla districtio fiat nisi per balliuos notos & iuratos. Et si alio modo districtiones fecerint, & de hoc conuicti fuerint, si grauati, breue de transgress. impetrauerint, restituant grauatis damna *alias in triplo* & versus Regem grauiter puniantur.

*INTONIS*

*LIVORS 2. cap. 42.*

Quia etiam Vic' Hundredarij, & Balliui libertatum, consueverunt grauare subditos suos ponendo in Assisis & iuratis homines languidos, & decrepitos, perpetua vel temporali infirmitate languentes, homines etiā tēpore summonitionis suæ in patria non cōmorantes, summonendo etiam effrenatam multitudinē iuratorum, ita vt à quibsdā eos in pace dimittendo pecuniā extorqueant, & sunt assisæ & iuratæ multociens per pauperiores, diuitibus pro suo dando, domi cōmorantibus: Statutum est, qđ de cetero non sūmoneantur in vna assis, plures quam xxiiij. Senes etiam videlicet vltra 70. annos, perpetuo languidi, vel tempore summonitionis infirmi, vel in patria non cōmorantes, non ponantur in iuratis, vel minorib' assisis. Nec etiam ponantur in Assisis vel iuratis, licet in p̄prio comitatu capi debeant aliqui qui minus tēn habeant, quam ad valentiam viginti solidorum per annum. Et si hūdi assisæ & iurati, extra comitatum capi debeant, non ponantur in eis aliqui qui minus tenemētū nō habeant, quam ad valentiā xl. s. per annum, illis exceptis q̄ testes sunt in chartis, vel alijs scriptis, quorum p̄sentia necessaria est, dū tamen potentes sunt ad laborandum. Nec debet istud statutum extendi ad magnas Assisas, in quibus oportet aliquādo ponere Milites in patria non residētes, p̄pter paucitatē Militū, dum tamen tēstū habeant in comit̄. Et si Vic' vel subballiui sui, vel ball' libertatū,

contra

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contra istud statutū in aliquo articulo venerint, & super hoc conuincantur, restituant dampna grauatis, & nihilominus sint in misericordia dñi Regis. Et habeant Iusticiarij ad assisas capiendū assignū, cum in com̄ venerint, potestatem audiendi queremonias singulorū conquerentium, quo ad articulos in isto statuto contentos, & iusticiam in forma prædicta exhibendū. 21. E. 1. de Ponendis in Assis.

*Returne of Sherifes 1. cap. 43.*

Quia Iusticiarij (ad quorum officiū spectat vnique coram eis placitanti iusticiam exhibere) frequentius impediuntur, quo minus officium suum debet modo exequi possint, per hoc quod Vic' breuia originalia & iudicialia non retornant, per hoc etiam quod ad breuia dñi Regis falsum retornant responsū: Prouidit dominus Rex & ordinauit, quod illi qui timent malitiam Vic', liberent breuia sua originalia & iudicialia in pleno com̄, vel in retro com̄, vbi fit collatio denariorum dñi regis, & capiatur billettum de Vic' presente, vel Subuic', in quo billetto contineantur nomina petentium & tenentiū in bñi nominat, & ad requisitionē illius qui breue liberauit, apponat billetto sigillum Vic' vel Subuic' in testīm, & fiat mētio de die liberationis bñi. Et si Vicecomes vel Subuicecomes hñodi billetto sigillū suū apponere noluerit, capiatur testimoniū Militū, & aliorū fide dignorū qui p̄sētes fuerint, q̄ sigill' sua hñodi billetto apponant. Et si Vic' breuia sibi liberata non retorna-

tornauerit, & super hoc ad iusticiarios perueniat querimonia, mandet per breue de iudicio, iustic' ad assisas capiendas assigni, quod inquirent per eos qui presentes fuerint quando 'breue vic' libertatum fuit, si seuerint de illa deliberatione, & inquisitio returnetur. Et si cōpertū fuerit per inquisitionē, quod breue fuit ei liberatū, adiudicentur querenti vel petenti damna, habito respectu ad qualitatem & quantitatem actionis, & ad periculum qđ ei euenire posset, p dilationem quam patiebatur. *Anno 2. E. 3. cap. 5. apud Nor'.* Et per istam vitam fiat remedium quando vic' respondet, quod breue adeo tarde venit, quod preceptum regis exequi non potuit. Multoties etiam capiunt placita dilationes p hoc quod vic' respondet, quod precepit balliuis alicuius libertatis, qui nihil inde fecerint, & nomet libertates, que nunquam retorum breuium habuerunt. Propter quod, ordinauit dominus Rex quod Thesaurus & Barofi de Scaccario liberent iusticiari in rotulo omnes libertates in quibuscunque com' qui habent retorum breuium. Et si vic' respondet quod mandauit balliuo alterius libertatis, quam alicuius contente in prædict' rotulo, statim puniatur vic' tanquam exheredator regis & coronæ suæ. Et si forte respondeat quod mandauit balliuo alicuius libertatis, que veracif retorn' habet *qui nihil inde fecit*, mandet vic' qđ non omitat propter aliquā libertatē pđ, quin exequatur precept' dñi regis, & qđ scire faciat balliuū, qđ fecit return' quod



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quod sint ad diem in breue contentū ad respondendū, quare de præcepto dñi regis executionem non fecerint. Et si ad diē venerint, & se acquietent, quod returnum brevis non fuit eis factum, statim condemnetur vic' dño illius libertatē, & similiter parti læse per dilationē in restitutionem damnorum. Et si ad diem non venerint balliui, vel venerint, & supradicto modo se nō acquietauerint, in quolibet breui de iudicio, quam diu durat placitū, precipiatur vicecomiti quod non omittat propter libertatem &c. Multociens etiā vic' falsum dant responsum, quo ad illum articulum quod de exitis &c. Mandantes aliquādo & mentientes, quod nulli sunt exitus, aliquādo qđ parui sunt exitus, cū de maioribus respondere possint, aliquando non facientes mentionem de exitibus. Propter quod ordinatū est & concordatum, qđ si querens petat auditum respōsionis vicecom, concedatur ei. Et si offerat verificare, quod vicecom de maioribus exitibus regi respondere potuit, fiat ei breue de iudicio ad Iustic' ad assisas capiendas assignatos qđ inquirent in presentia vicecomitis, si interesse voluerit, de quibus & quantis exitis respōdere potuit a die impetrationis brevis vsque ad diem in breui contentum *al. receptionis vide P. 27. H. 8. ca. 10. f. 3. & P. 20. H. 6. cap. 10. fol. 25.* & cū inquisitio retornata fuerit, si de pleno prius non respōderit, oneretur de superplusagio p extractas Iustic' liberatas ad scaccarium, & nihilominus grauiter amercietur pro concealamento. Et

Et sciat vic' qđ redditus, blada in grangia, & omnia mobila, præt equitaturam, induméta, & vrensilia domus continentur sub nomine exituum.

Et præcepit bñs Rex, qđ vic' p huiusmodi falsis responsionibus semel & iterú (si sit necesse) p iustic' castigetur. Et si tertio deliquerint, alius nō appon manū quā dñs rex. Multotiens etiā falsū dant responsū, mādando qđ non potuerunt *exequi* preceptū regis ppter resistantiā potestatis alicui⁹ magnatis, de quo caueat vic' de cetero, quia hñodi responsio multū redundat in dedecus dñi regis & coronæ suæ.

Et quam cito subballiui sui testificetur, qđ inuenerunt huiusmodi resistantiam, statim (omnibus omiſſis) assumpto secū posse cornū sui, eat in p̄pria p̄sona sua, ad faciendū executionem.

Et si inueniat subballiuos mēdaces, puniat eos p̄ prisonā, ita qđ alij p̄ eorū p̄cā castigentur.

Et si inueniat eos veraces, castiget resistentes p̄ prisonam, a quo non deliberentur sine speciali p̄cepto domini regis. Et si forte vic' cum venerit, resistētiam inuenerit, certificet eū de nominibus resistantium, auxiliantiū, consentientium, p̄cipientium & fautorum, & per breue de iudicio attachient huiusmodi per corpora, ad veniendū ad eū Regis. Et si de hñdi resistantia conuincantur, puniantur secundū quod dñs regi placuerit. Nec intro-mittat se aliquis mistier dñi Regis de p̄cā huius-

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huiusmodi infligenda, quia dominus rex hoc sibi special' reseruat, pro eo quod hñdi resistentes censentur pacis sue & regni pturbatores, 13. E. I. de Mercatoribus, Articuli super cartas cap. 16.

### Age 4. cap. 44.

Cum quis alienat ius vxoris suæ, concordat est quod de cetero secta mulieris, aut eius heredes non differatur post obitum viri p minorem etatem heredis, qui warrantizare debet, sz. expectet emptor (qui ignorare non debuit quod ius alium emit) vsque ad ætatem warranti sui, de warrantia sua habenda.

### Contra formam collationis 1. cap 45.

Statuit Dñs Rex quod si Abbates, Priores, custodes hospitalium, & aliarum domorum Religiosarum fundatarum ab ipso, vel a progenitoribus suis alienauerint de cetero tñ domibus sipsis ab ipso vel a progenitoribus suis collata, tñ ill' in manũ dñi regis cupiantur, & ad voluntatē suam teneantur, & emptor amittat suum recuperare, tam de tñ quā de pecunia, quā paiauit. Si autē domus illa a com, baron, vel ab alijs fundat fuerit, de tñ sic alienat hēat ille a quo vel a cuius antecessore tñ sic alinat collatū fuerit, breue ad recuperand tñ illud in dominico, qđ tale est: Præcipe tali Abbati, quod iustē & c. reddat B. tale tñ qđ eidem domui colatū fuit in liberā elemosinā per præd B. vel antecessores suos, & quod ad dict B. reueri debet per alienationem, quam prædict Abbas fecit de prædicto tñ

ten contra formam collationis præd, vt dic'. Eodem modo de ten dat pro Cantaria *sustinenta* vel luminari in aliqua Ecclesia vel Capella, vel alia elemosina sustentanda, sic ten sic dat alienetur. Et si fortè ten sic dat p cantalia, luminari, postu pauperum, vel alia elemosina sustentanda vel faciend, non fuerit alienat, sed subtracta fuerit hmodi elemosina per breuium, competat actio donatori aut eius heredi ad petendū ten sic datum in dominico, sicut statutum est in statuto Glocest, de ten dimissis ad faciendum vel reddendū quartam partem valoris teni, vel maiorem. Gloucester cap. 4.

*Fees. cap. 46.*

De Mareſcallis domini Regis de feodo, Camerarijs, custodibus hostiorum in itinere Iustic', & seruientibus virgam portantibus coram Iustic' apud Westm, qui officium illud habeant de feodo, & qui plus exigunt ratione feodi sui quam exigere consueuerunt, secundum quod multi queruntur super eos qui statuf cur à multo tempore viderunt & sciunt, dominus Rex inquiri fecit, quem statuf prædict' ministri de feodo habere consueuerunt temporibus retroactis, & per inquisitionem statuit & præcepit, quod Mareſcallus de feodo qui de nouo exigit palfridum de Comitatibus, Baron', & alijs per partem baronię tenent, quando homagium fecerint, & nihilominus ad malitiam eorū alium palfridum, & de quibusdam (de quibus palfridum habere non debuit) palefridum de

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nouo exigunt, ordinauit quod prædictus Mareſcallus de quolibet comite & barone ( integram baroniam tenente, ) de vno palfrido ſit contentus, vel de precio quale antiquitus percipere conſuevit, ita quod ſi ad homagium, quod fecit, palfridum vel precium in forma prædicta ceperit, ad malitiam ſuam nihil capiat.

Et ſi fortè ad homagium nihil ceperit, ad malitiam ſuam capiat. De Abbatibus & Prioribus integram baroniam tenentibus, cum homagium aut fidelitatem pro baronijs ſuis fecerint, capiat palfridum vel precium, vt prædictum eſt.

Hoc idem de Archiepiſcopis, & Epiſcopis obſeruandū eſt. De his autem qui partem baroniæ tenent, ſue ſint religioſi, ſue ſeculares, capiat ſecundū portionē partis baroniæ, quā tenent. De Religioſis tenent in liberam elemoſinam, & non ꝑ baroniam, vel partem baroniæ, nihil de cætero exigat Mareſcallus.

Et conceſſit dominus Rex, quod per hoc ſtatut non præcludatur Mareſcallus ſuus de ſecundo in plus petendo, ſi impoſterum oſtendere poterit, quod ius habeat plus petendi.

Camerarij domini Regis habeant de cætero de Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, & alijs ꝑſonis eccleſiaſticis, Comib, Baroib, integram baroniam tenent, rationabilem finem cum homagium aut fidelitat ꝑ baronijs ſuis fecerint. Et ſi per partem baroniæ teneant, capiant rationabilem finem ſecundum portionem ipsis contingentem. Alij

vero

vero abbates, priores, religiosi, & seculares non tenentes per baroniam, vel partem baronia, non distringantur ad finē faciendū, secundum quod de tenentibus per baroniam vel partem baronię dictum est, sed sit Camerarius de superiori indumento contentus, vel de precio indumenti: quod plus honestē dictum est p̄ Religiosis quam secularibus, quia honestus est, quod Religiosi paient pro superiori indumento, quam exuant.

*Citation I. cap. 47.*

Prohibeatur de cætero Hospitalarijs & Templarijs, nec de cætero trahant aliquem in placitum coram conseruatoribus privilegiorum suorum de aliqua re, cuius cognitio spectat ad forum Regium: Quod si fecerint, prima restituāt damna parti grauati, & versus dominū Regem grauitē puniantur. Prohibet etiam dñs Rex conseruatoribus privilegiorum eorundem, nec de cætero (ad instantiam Hospitalariorum, Templariorū, aut aliorum privilegiatorum) concedant Citationes, priusquam exprimat super qua re fieri debeat citatio. Et si viderint *huiusmodi* conseruatores, quod petatur citatio de aliqua re, cuius cognitio spectat ad forum Regium, huiusmodi conseruatores, nec citationem faciant, nec cognoscant. Et si aliter fecerint conseruatores, respondeant parti læsę de damnis, & nihilominus versus dominū Regē grauius puniant. Et quia huiusmodi privilegiati impetrant cōseruatores, subpriores, p̄ntatores sacristas, religiosos, que nihil hēnt vnde lesis aut

## Westm second.

domino Regi satisfacere possint, qui audaciores sint ad ledendū dignitatem dom̃ Regis quam eorum superiores, quibus per eorum temporalia p̃na potest infligi: Caueant de cetero Prælati huiusmodi obedientiariorum, ne permittant obedientiariorum suos assumere sibi iurisdictionem in præiudicium dom̃ Regis & coronæ suæ. Quod si fecerint p̃ facto ipsorū respondeant sui superiores, ac si de proprio facto suo conuicti essent.

*Fees 2. cap. 48.*

De custodibus hostiorum in itineribus virgam portantibus coram Iustic' de banco: Ordinatum est, quod de qualibet Assisa & iurata quam custodiunt, capiant denē denarios tm̃, de Chirographis nihil. De his qui recuperant demandas suas versus plures per defaltam, reddition', vel alio modo p̃ iudicium sine assisa, vel iurat, nihil. De his qui recedunt sine die p̃ defaltam petentis vel querentis, nihil capiant. Et si quis recuperauerit demandam suam versus plures per vnum b̃fe, & per recognitionem assisæ vel iurat, de quatuor denarijs sint contenti. Et similiter si plures in vno breui nominati per recognitionē assisæ vel iuratę recuperauerint demādam, de quatuor denarijs sint contenti. De his qui faciunt homagium in banco, de superiori panno sint contenti. De magnis Assisis, attinctis, iuratus, & duello percusso xij. d. tantū capiant. De his qui vocati sunt coram Iustic' ad sequendū, vel defendendū placitum suum, nihil capiant pro egressu vel ingressu. Ad placita Coronæ de qualibet

qualibet duodena xij. s. tantum capiantur. De quolibet prisonario de liberato iij. s. tantum capiant. De quolibet cuius pax proclamata fuerit j. s. tantum capiatur. De inuentoribus occisoru, & alijs attachiatis vill', iij. s. De decennarijs hominibus alijs, de quatuor hominibus & proposito ac denarijs nihil *nihil* capiatur. De Cirographijs pro Cirographo faciendo statutum est, quod de quatuor solidis sint conteti. De Clericis subscribentibus breuia originalia & iudicialia statutum est: quod pro vno breui de vno denario sint contenti. Et iniungit dñs Rex omnibus & singulis Iusticiarijs suis in fide & sacramento quibus ei tenentur, qd si hñodi ministri contra præd statutũ in alistuo articulo venerint, & queremonia ad eos pertineat, pœnam eis infligant rationabilem. Et si iterũ deliquerint maiorẽ pœnam eis infligant, qui castigari merito debeant. Et si tertio deliquerint, & sup hoc conuicti fuerint, si sint ministri de feodo amittant feodum suum, & si alij sint, amittant curiam Regis, nec redeant sine ipsius Regis speciali præcepto aut gratia.

*Execution 2. cap. 49.*

Quia de his quæ recordata sunt corã Cancellario dñi Regis, & eius Iustic' qui recordũ habent, & in eorum rotulis irrotulatur, non debet fieri processus placiti per summonitionem, attachiamenti, essonium visus terræ, & alij solemnitates curiæ, sicut fieri consuevit de contractibus & conuentionibus factis extra cur: Obseruandum est de cætero, qd ea quæ



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quæ inueniuntur irrotulæ coram his, qui recordū habent, vel in finibus contentæ siue sint contractus, siue conuentiones, siue obligationes, siue seruitia, aut consuetudines, recognita, siue aliqua quecunque irrotulata, quibus curia dñi Regis (sine iuris & consuetudinis offenso) autoritatē præstare potest, talē de cætero habeant vigor qđ non sit necesse in posterum de his placit, sed cum venerit conquerēs ad curiā domini Regis, si recens sit cognitio, vel finis leuāt, v. z. infra annū, statim habeat breue de executione illius recognitionis factæ. Et si fortē à maiori tempore transactio facta fuerit illa recognitio, vel finis leuatus, præcipiatur vicecom̄ quod scire faciat parti, de qua sit queremonia, qđ sit ad certum diem coram Iustic', ostendens (si quid sciat dicere) quare hñdi irrotulæ, vel in fine contentæ executionē habere non debeant. Et si ad diē nō venerit, vel fortē venerit, & nihil sciat dicere, quare executio fieri non debeat, percipietur vic', qđ rem irrotulatam, vel in fine contentæ exequi faciat. Eodem modo mandetur Ordinatio in suo casu, obseruat nihilominus quod [W. 2. ca. 9.] supradict' est, de Medio, qui per recognitionē aut iudiciū obligatus est ad acquietandum. 13. E. 1. *Mercatoribus.*

*Approver. cap. 50.*

Cum in statuto ædito apud Merton, ca. 4. concessum fuerit, qđ dñi vastorum, boscorū, & pasturarum approbare se possint de vastis, boscis, & pasturis illis, non obstante contradictione tenentium suorum, dummodo tenen-

res ipsi haberent sufficientem pasturam ad tenementa sua, cum libero ingressu & egressu ad eadem. Et pro eo quod nulla fiebat mentio inter vicinum & vicinum, multi domini vastorum, boscorum, & pasturarum hucusque impediti extiterunt per contradictionem vicinorum sufficientem pasturam habentium. Et quia forinseci tenentes non habent maius ius commaniciandi in bosco, vasto, aut pastura alicuius domini, quam proprii tenentes ipsius domini: statutum est de cetero, quod statutum apud Merton prouisum inter dominum & tenentes suos, locum habeat de cetero inter dominos vastorum, boscorum, & pasturas & vicinos, ita quod domini huiusmodi vastorum, boscorum, & pasturarum salua sufficienti pastura hominibus suis & vicinis, approbare sibi possint de residuo. Et hoc obseruetur de his qui clamant pasturam tanquam pertinentem ad tenementum suum. Sed si quis clamat communiam pasturam per speciale feoffamentum, vel concessione ad certum numerum auerorum, vel alio modo, quam de iure communi habere deberet, cum conventio legi deroget, habeat suum recuperare, quale habere deberet per formam concessionis sibi factae. Occasione molendini ventritici, bercariae, vaccariae, necessarij, augmentationis curie, aut curtilagij de cetero non grauetur quis per Assisam nouae disseisinae de communia pasturae. Et cum contingat aliquando, quod aliquis ius habens approbare, fossatum aut sepem leuauerit, & aliqui noctant, vel alio tali tempore quo non credant factum eorum sciri, fossa.

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fossatum aut sepem prostrauerint, nec sciri poterit per veredictum assise, aut iurata, qui fossatum aut sepem prostrauerint, nec velint homines de villatus vicinis indicta de hñdi facto culpabiles, distringantur ppinque villata circum adiacentes, leuare fossatum aut sepem, ad costum ppiu, & damna restituere.

*Assise 6. cap. 51.*

E cum aliquis ius non habens communicandi vsurpet communiam tempore quo heredes infra etatem extiterint, vel vxores sub potestate viroꝝ suoz existētes, vel pastura sit in manu tenentium in dotem, per legem Angliz, vel aliter ad terminum vitæ, vel annorum, vel per feodum talliatum, & pastura illa diu fuerint vsi, multi sunt in opinione qđ hñdi pasturę debent dici pertinere ad liberu ten, & quod hñdi possessori competere debet actio per bre No. diff. si ab hñdi pasturę deforecantur, sed de cætero tenendu est, qđ habētes huiusmodi ingressum à tempore quo currit breue mortis antecessoris [s. del commencement del th. 3. per w. i. cap. 38.] si antea communiam non habuerunt, non habent recuperare per breue Nouz disseisinæ si fuerint deforciati.

*Fish and fishings 1. cap. 52.*

Prouisum est, qđ aquæ de Humber, Ouse, Trent, Done, Arre, Derwent, Wherff, Niddiøre, Swale, Tese, Tyne, Eden, & omnes aliz aquæ in Regno in quibus Salmones capiuntur, ponatur in defenso, quo ad Salmones capiendos, à die Natiuitatis beatæ Mariz, vsque

vsque ad diem sancti Martini. Et similiter qđ salmunculi non capiantur, nec distruantur per retia, nec per alia ingenia ad stagna molendinorum, a medio Aprilis vsque ad natiuitatē sancti Io. Bap. Et in partibus vbi huiusmodi riparie fuerint, assignentur conseruatori istius statuti, qui ad hoc iurati sepius videant & inquirant de huiusmodi transgressione, & in prima transgr̃ puniatur per combustionē retium, & ingeniorū suorum. Et si iterato deliquerint, puniatur per prisoniam quarterij anni. Et si tertio deliquerint, puniantur per prsonā vnus anni. Et sic multiplicata transgressione, crescat pene inflictio, anno 17. R. 2. cap. 9.

## View 1. cap. 53.

De visu terrarū ordinatum est & statutū, qđ de cetero non concedatur visus, nisi in casu quando visus est necessarius. Sicut si aliquis amittat tenementum per defaltā: & ille qui amisit suscitet aliud breue ad petendum idē tenē. Et in casu quando aliquis per exceptionem pilatoriam cassat breue post visum terre, sicut per non tenuram, vel malenominando villam, vel huiusmodi, si suscitet aliud breue, in hoc casui & in superiori de cetero non concedatur visus, dummodo visum habuerit in prioribus breuib. Ind breui de dote competatur dos de tenemento, quod vir vxoris alienauit tenenti aut eius antecessori, cū ignorare non debeat tenens, quale tenē vir vxoris alienauit sibi vel antecessori suo licet vir non obijt seiscitus, nihilominus tenenti de cetero

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cetero non erit visus concedendus. In breui etiam de ingressu cassato p hoc quod petens nominauit male ingressum, si petens suscitet aliud breue de alio ingressu, si tenēs in priori breui visum habuerit, in secundo non habebit. In omnibus etiam breuibus per que teā petunt ratione dimissionis, quā petens vel eius antecessor fecit tenenti, & non eius antecessori, sicut quod ei dimisit, dum fuit infra etatem, non compos mentis, in prisoa, & consimilibus, non iaceat de cetero visus, sed si dimissio facta fuerit antecessori iaceat visus sicut prius.

*Champertie 2.*

*cap. 54.*

**Chancelloz, Treasurer, Justices,** ne nul de counceil le roy, ne Clerke de la chauncery, ne del Eschequer, ne de Justice, ne daut mistier, ne nul de hostel le Roy, ne clerke, ne lay, ne puis resceiſi esglise, ne aduowson de esglise, ne terre, ne teneiment in ſeē, per done, ne p achate, ne a ferm, ne a champty, ne en auter maner, tangz come le chose est en plē deuant nous, on deuāt bl de nous ministē, ne nul loſwer ent soit p̄tis. Et q̄ encounter cest chose face, ou per lay ou per aut, on nul bargain ent face, soit punie a la volunt le roy auxibien celuy q̄ le purchasera com celuy que le fra I I. E. I. Champertie I. Arciculi super chartas ca. II.

55 Omnia predicta statuta incipiant conseruari ad festum sancti Michaelis proximo venturum, ita quod occasione aliquorum delictorum contra aliquod predictorum statutorum

torum circa predictum festum perpetratorū,  
pœna delinquentibus, de quibus mentio fit  
in statutis, non infligatur.

*Action upon the Statute 1. cap. 56.*

Super vero statutis in defectum legis & ad  
remedia editis, vt diutius querentes cum ad  
curiam Regis venerint recedant de remedio  
desperati, habeāt breuia sua in suo casu  
prouisa, sed non placitant vsque ac  
festum Sancti Michaelis.

*Explicit statutum de Westm  
second.*

Statutum de Mercatoribus ædific  
Anno 13.E.1.

*Recognisance &c. 1. cap. 1.*



Par ceo que merchants, queus  
auant ceux heures ont a prest  
leur auoier a disas gents, sont  
chies en pouertis, par ceo que  
nauoient pas ci ready sep par-  
mew, par la quel ils purroient leur detis ha-  
stiment reconera au jour asslets de la pay, &  
per cel encheson, sont multes des mer-  
chants sustretes de benet en cel tre one leur  
mēt.

## Mercataribus.

merchandises, ou d'au des merchants & de tout le Roialme: Nostre s<sup>r</sup> le roy p<sup>r</sup> luy, & par son conseil & son parliamēt quil tient a N<sup>o</sup>ton Burnel, ap<sup>r</sup>es la seint Michael, lan de son raigne xj. fist & ordeigne les establis-  
ments sur ceo, a reme<sup>d</sup>ie des merchants lez  
q<sup>u</sup>es ordeinments & establisment le roy cō-  
manda q<sup>u</sup> tenus fuissent, & firmemēt gardes  
en tout son roialm, dont merchants ont eue  
reme<sup>d</sup>ie & meins des mischieues & trauaillez  
de reco<sup>s</sup>t leur detz q<sup>u</sup> auant ne soient. Mes  
p<sup>r</sup> ceo q<sup>u</sup> merchants puis soy pleind<sup>o</sup>nt au  
roy q<sup>u</sup> lez b<sup>i</sup>st malemēt interpretont son estat,  
& a<sup>u</sup>t foits p<sup>r</sup> malice, & p<sup>r</sup> male interpzetatiō  
delaieront lere<sup>t</sup> del estatute, au grand dam  
des merchants.

2 Le Roy a son parliament a Westm, a-  
p<sup>r</sup>es la Pasche, lan de son raigne xij. fist re-  
citer lanantdit statut fait a N<sup>o</sup>ton Burnel,  
& par declarer aucuns articles de le statute  
auantdit, ad ordeigne & establie q<sup>u</sup> merchant  
que doit estre sur de la det, face v<sup>e</sup>ner son  
dettor deuant le Maioz de Londres, ou de-  
uant au<sup>r</sup>er chiefe gardeine de cel Citie, ou  
da<sup>u</sup>ter bon bill, ou le roy ordeigne<sup>r</sup>, & deuant  
le Maioz ou chiefe gardeine ou au<sup>r</sup>er probe  
home a ceo esliu & sur, quant le Maioz ou  
chiefe gardein ne poient a ceo entendre, et  
deuant un des clerkes que le Roy a ceo as-  
signera, quant ambideur ne poient a ceo  
entend, connus la dette & le iour de la pay-  
ment, & soit le recognisance enroll de l' main  
dun des auantdits clerkes que sera connus

& le roule serra double, dont lun demurra  
 vers le Maïor, ou chiefe Gardein, & l'auter  
 vers le Clerke, q̄ a ceo serra p̄imes nosme.  
 Et oult ceo un des auantdit Clerks de son  
 maine face lescript del obligatiō, a q̄ escript  
 soit mis le seale del dettoz, oue le seale le roy  
 q̄ a ceo est puruswile q̄i seale serra de deux  
 p̄ices, dont le greinder p̄ice demurra en  
 le garu le Maïor, ou le chiefe gardein, & l'auter  
 p̄ice en le maine le auantdit Clerk. Et  
 si le dettour ne rendra le det au iour q̄s a  
 luy est assigne, cy beigne le Merchant la  
 Maïor & clerke oue son letter del oblig. Et  
 si troue soit per roll, ou per letter, que la det  
 soit conus, & la iour de payment assigne  
 soit passe, cy face le Maïor, ou chiefe gar-  
 deine p̄endye le corps le dettoz (s'il soit lay)  
 q̄i heure q̄ il soit troue deins lour poſſe, a  
 lyuer al p̄ison de la ville, si p̄ison y soit, & la  
 demurra a ses costages p̄pres, lesq̄s a tant  
 q̄l eit fait gr̄e de la det. Et commandē que  
 la gardein de la p̄ison de la ville le resceiue  
 p̄ le literie del Maïor, ou le chiefe gardein:  
 Et si ne luy boile resceiſ, cy respoign main-  
 tenant le gardein de la p̄ison de la det, s'il av  
 de quoy, & s'il n'ad de quoy, respoigne celuy  
 que la p̄ison luy baile, a garder. Et si le  
 dettour ne puit estre troue en le poſſer le  
 Maïor, ou le chiefe Gardein, donq̄s mande  
 le Maïor, ou chiefe gardein desouthe le seale  
 del roy auantdit al Chaunt la recognis. fait  
 de la det. Et le Chaunt ennoyera byese al  
 Wicout, en que baillie le dettour serra troue,  
 que



## Mercatoribus,

que il pzeigne son corps, si soit laye, & en  
sate prison luy gardé, lesquelles a taunt quil ad  
fait grée de la dette. Et dedeins un quarter  
de lan apzès ceo que il seré pzeise, eit les cha-  
teux & les terres deliueres, issint que per lez  
soiens puisse leuer & paier la dette. Et bien  
luy list deins cel quarter del an, terres & te-  
nements vendze pur ses dettes acquiter,  
& la vende serra ferme & establie. Et si ne  
face grée deins le quarter, apzès le quarter  
passe soient liueres al merchant toutes les  
biens del dettour, & tous les terres p rea-  
sonable extant, a tener desque a taunt que le  
dette seré leue pleinnemēt. Et la le plus tard  
le corps demurge en prison, come deuant est  
dit : Et le merchant luy trouua pane & esue.  
Et eit le merchant, en ceux tenements liue-  
res a luy ou son assigne, tiel seisin quil pu-  
isse poztier bziefe de nouel disseisine si soit  
engette, & redisseisine auxy come de frankte-  
nement, a tefi a luy & a ses assignes, tanque la  
dette soit paye. Et apzès la dette leue & pay  
loit le corps le dettour deliueré, oue la terre.  
Et en les bziefes que le Chances ennoyē,  
loit mēciō fait, q̄ le bise certifiera les iusti-  
ces de lun banke ou de lautre, coment il a-  
uēt perforce le commandemēt le roy a un  
certain iour : a q̄l iour le merchant, si sō grē  
ne soit fait, sus deuant lez Justices. Et si les  
bise ne retozn nul bzief, ou retozn que le bise  
hiet trop tard, ou q̄ls ont maūdes as bai-  
liffes des franchises, facent les Justices  
selong ceo que est contenu en le darreins  
estat.

estatuz de Westmister cap.39. Et si p cas  
 le viscont maistr q le dettour nest pas trone  
 ou soit clerke, cy est le merchāt bñes a tous  
 les visconts ou il auera terre, quelz luy li-  
 rōt tous les chateaux, & tous les tenements  
 le dettour per reasonable extent a tesh a luy  
 & a ses assignes en la fourme que est auant-  
 dit. Et salement eit bñese a quel viscont q  
 il boudra, de prendre son corps sil soit laye,  
 & a tener en la fourme auantdit. Et bien  
 soy garde le gardein del prison, que luy co-  
 uindra respondre del corps, ou de la dette.  
 Et apres ceo que les terres le dettour sont  
 liurees al merchāt, bien purra le dettour fa-  
 terre bendre, issint que le merchant neit da-  
 mages de les apportionemēts. Et salues soient  
 tous iours al merchants, damages, &  
 tous costages necessari & reasonable en  
 transalles, iutes, delayses, & dispenses. Et si  
 le dettour trouua pledges que se conuist estre  
 principales dettoirs, apres le iour passe soit  
 fait de les pledges en tous choses come de-  
 uant est dit de le principall dettour quant a  
 corps prendre, & terres liuerer, & autres  
 choses. Et quant les fres les dettoirs soy-  
 ent liurees au merchāt : il eit issint de tous  
 terres queur sneront en la maine le dettour  
 le iour de la reconisance fait, en que maines  
 que ils serront apres deuenus, ou p seffe-  
 mēt, ou per auter matter. Et apres la dette  
 paie, les terres & liuies des terres des det-  
 toirs p seffmēt, retournent auxibien arere  
 al seffs, cōe les autres terres as dettoirs.

## Mercatoribus.

Et si le dettour ou les pledges motirge, met le Merchant power de pzeindre le corps del heire, mes eit ses terres, come auant e dit, si est dage : ou quant il serra de pleine age, tesqz a taunt que il ad leue des terres le amountance de la det. Et soit purtiefo vn auter seale q̄ serueta a faire. Et icel seale serra enuoy a chescun sayze desonhy le seale le Roy, per vn Clerke iure, ou per gardeine de la sayze. Et p le Cōminaltie des Merchants de la Cité de Londrez, soient esliens deux loyals Merchants, q̄ux facent le serement, & deuant eux soit le seale ouert, & lun pece soit baile a les auantdits Merchants, & l'auter demurge vers le Clerke : & deuant eux, ou de lun des Merchants, si ambideux ne poist attendre, soient les conuances faits, sicome auant est dit. Et auant ceo q̄ le recognisance soit enroil, soit la peine del auantdit estatute appiertmēt lye deuant le dettour, issint que il ne puisse auterfoits dire, que vn lay mist a auter peine q̄ a cel a que il soy oblige. Et a susceper les costes de l'auantdit Clerke, cy pzeindra le Roy de chescun libē j. d. in chescun ville ou le seale serra mis, forspis sayzes, ou il pzeindra trois mailles de chescun li. Cest ordeinement & establisshment doit le Roy, que desozmes soit tenuz p tout son roialm Denglire & Dircelond, entē q̄i gentes que ceo soit, que de lour eigne degré celles reconus. voubzont faire, forspis Jeyes, as queux cest establisshment ne se extende. Et p cest estatute & establisshment

mont ne soit bñs de det abatus. Et ne soit le  
 chascell, barons del eschequer, Justices de  
 lñs & de laut bank, ne Justit errāts forcloz  
 de ppendr reconus. des detz deuāt euz faitz  
 & conus, mes les executions de reconus. de-  
 nant euz faitz ne soient pas faitz p la forme  
 anātoit, mes per la ley & lusage auant bñs  
 & pñreuz aillours en aut estatuts [viz. W.  
 2. cap. 47.] Bñe fundat sup Statutum pñict.  
 ¶ Rex vic' salut. Quia coram tali maiori, vel  
 custode talis ville, vel coram custod' sigilli nñi  
 de mercatoribus in nundinis de tali loco, &  
 tali cleric' nfo recognouit A. se de beñ B. tan-  
 tum, qđ soluisse debuit tali die & tali anñ, qđ  
 eid' B. nondum soluit, vt dicit. Tibi pñipimus,  
 qđ corpus pñ A. si lacius sit capias, & in pri-  
 sona nñā saluo custodiñ facias, quousq; prāñ  
 B. de pñdicto debito plenarie fuerit satisfa-  
 ctum. Et qualiter hoc pñceptū nñum fueris ex-  
 ecut', scire facias iustic' nostris apud Westm  
 &c. per literas tuas sigillatas, Et ha-

beas ibi hoc breue.

Teste, &c.

M 3

¶ Statut

¶ Statut' de Westm' 3. ædit'  
Anno 18. Edw. primi.

*Cest estat' est fait pur aduantage de Seigniors.*

*Tenure 4. cap. 1.*

**Q**uia emptores terrarum & tenementorum de feodis Magnatum & aliorum dominorum, in præiudicium eorundem, temporibus retroactis, multociens in feodis suis sunt ingressi, quibus liber tenentes eorundem magnatum & aliorum terras & tenementa sua vendiderunt, tenend' in feod' sibi & hæredibus suis de feoffatoribus & heredibus suis, & non de capitalibus dominis feodorum, per quod idem capitales domini eschaetas, maritagia, & custodias terrarum & tenementor' de feodis suis existentium sepius amiserunt: quod quidem eisdem Magnatibus & alijs dñis quam plurimum durum & difficile videbatur, & sic in hoc casu exhæredatio manifesta. Dñs Rex in parlamento suo apud Westm' post Pasch. añ regni sui xvij. videlicet in quindena Sancti Iohis Bap. ad instantiam Magnatū Regni sui, concessit, prouidit, & statuit, quod de cætero liceat vnicuique libero homini, terras suas, seu tenementa sua, seu partem inde ad voluntatem suam vendere, ita tamen qđ feoffatus teneat terram illam, seu tenement' illud de capitali domino feodi illius per eadē ser-

*ms per cuius in uel tenure pt. in creato a uel iour. uicia  
Co. 5. 40. b. Br. tenure. 2. 27 H 8. 26.*

uitia & consuetudines, p̃ que feoffator suus  
illa prius *de ceo* tenuit. Et si partem aliquam  
earundem terrarū, seu tenementorū alicui vendi-  
derit, feoffatus ille *partem* illā teneat imme-  
diat̃ de capitali dñō, & oñes statim de seruici-  
is quant̃ ptineat siue ptinef debet eid̃ ca-  
pitali dñō p̃ pticula illa secund̃ quātitatem  
terrarū seu teñ sic venditi. Et sic in hoc casu de-  
cidat *eidem* capitali dom̃ ipsa pars seruitij per  
manus feoffati capiend̃ ex quo feoffat̃ debet  
eid̃ capitali dom̃, iuxta quantitatē terr̃ seu teñ  
venditi, de pticula illius seruitij sic debiti esse  
intendens & respondens. Et sciend̃ est qđ p̃  
p̃dict̃ venditiones, seu emptiones terrarum,  
seu teñ, aut ptis alicuius earund̃, nullo modo  
possint terr̃ seu teñ illa in partē vel in toto ad  
manum mortuam deuenire, arte vel ingenio  
contra formā statuti sup̃ hoc dudū editi [7. E.  
1. de Religiosis] Et sciendum est qđ istud sta-  
tut̃ teneat locum de terris seu teñtis vendi-  
tis tenend̃ in feodo simplici tantum. Et qđ  
se extendat ad tempus futurum. Et inci-  
piet locum tenere ad festum sancti

Andree apostol' proximo fu-

tur Ann' regni Regis

E. filij regis H.

xviij.

*Explicit statut' Westm̃ iij.*

M 4

¶ Modus

Co. 6. 1.

*merity ne p̃ h̃m*  
Br. Gen. 64.

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# ¶ Modus leuandi Fines, & dit'

Anno 18. Edw. primi.

Fines 1.

**Q**uant le bziese original soit lie en pze-  
 sence des parties deuant Justices,  
 donques dira vn countour issint;  
 Sir Justice, conge d'acozd, Le Justice  
 dira, que dira? Sir Robert, & nolmera  
 vn des parties. Donques quant ils ser-  
 ront agrez de la somme de pecune que est  
 done al Roy, donqs dira le Justice, Cries  
 la peace. Et puis dira le countour, issint  
 que la peace est tiell, a vous conge, que  
 William & Alice la feme, qui cy sont, recog-  
 nissent le manour de B. que les apparte-  
 nances contenus en le bfe, estre dzoit du  
 R. come cell que il ad de leur done, A. auer  
 & tener a luy & a les heires, de M. & Alice,  
 & les heires A. come en demesne, rent, seig-  
 niozles, courts, ploés, purchases, gardes,  
 mariages, relieves, escheates, molins, a-  
 uoisons de Eglises, & tous auters fran-  
 chises, & franke customes al auantdits ma-  
 nours apperteignant, rendant per a R.  
 & les heires, chieles seignours de se, ser-  
 nice due, & customes pur tous sercices,  
 Et fait assaouir, que ozder de ley ne suffre  
 mye, que final accozde soit lene en la court  
 le Roy sans bziese original, & ces a tout le  
 meins deuant iij. Justices en bank, ou en  
 Eyze, & non pas ailleurs, & en pze-  
 sence des parties nolmes en bziese, queux soient  
 de

de pleine age, & de bone memoire, & hors  
de ppyson. Et si feme couert de baron soit  
vn des parties, donqs couient que el soit  
primerment confesse de iij. Justices auant-  
dits. Et si el nascent al fine, ne ces liues  
mie. Et la cause pur que tiel solempnitie  
doit estre fait en cel fine est, pur ceo q Fine  
est ci hault barre, & de ci grand force, &  
de ci puissant nature en soy, que el lozlos  
nemy solement ceuz queux sont pties & pzi-  
pies a la fine, & lour heires, mes toutes  
autres gentes de mound, qur sont de pleine  
age, hors de ppyson, & de bone memoire, &  
deins les iij. meres, le iour del fine leue,

ils ne mettront lour claime de lour

action pur le pays, deins lan

& le iour. [Vide plac'

fol. 354.]

¶ Statutum



¶ Statut de vocat ad warrant, & dit  
*Anno 20. Edw. primi.*

*Voucher 6.*

**C**um tenens implacitatus in placitū terrarū temporibus retroactis vocauerit aliquem ad warrant, & petens super hoc verificare voluerit *quod nec vocatus*, nec aliquis antecessorum suorum à tempore seisinæ antecessoris ipsius tenentis fuerit in seisinā, de tenēt prædictis, nec in dominico, nec in seruitio, sed si ille vocatus ad warrant fuerit præsens, & gratis tenēt warrantizare voluerit, prædicta verificatio petentis admitti non consuevit, nisi vocatus absens fuerit, & hoc ratione cuiusdam statuti domini Regis nunc, & diti inter cætera statuta sua prim Westm. ca. 39. propter quod dñs Rex animaduertens fraudem, deceptionem, & malitiam, & etiam damnum suum, & exheredationem coronæ suæ, quod in casu prædicto in curia sua multociens posset interuenire, & isto die interuerint, Cum quidem tenentes de ipso Rege in capite per baroniam integram in quodam placito pendente coram Iusticiariis de banco vocauerint ad warrant de demanda particularitèr quosdam graciones ignot, & extraneos, quos præsentes duxerint, & quorum antecessores aut ipsimet, nunquam in tenēt quæ warrant, aliquid habuerint, aut in aliquibus fris aut tenemētis alijs in regno suo, nequē in dominico, nequē in seruitio, (prout  
a di-

a diuersis domini Regis fidelibus testabatur)  
 vt per cautelam illam, fraudem, & malitiam,  
 ipsi per baroniam tenentes auferre possent  
 dom Regi misericordiam suam, in quam inci-  
 derint, si petens versus eos demandam suam  
 recuperaret. Et similiter cum graciones war-  
 rantizauerint, viz. quilibet de portione quam  
 warrant debet *in casu ubi duellum iacet*, pos-  
 sit se defendere per corpus seruientis sui pro-  
 uisi, & conducti per ipsos baroniam tenentes.  
 Et sic super vno breui, & vna demanda iam  
 fuerunt duo vel tria duella yadiata, quod du-  
 rum est, & exemplum perniciosum tempore  
 futuro pro pauperibus petentibus versus mag-  
 nates & deuities, qui se per malitiam predictam  
 defendere voluerint, nec petens contra dictos  
 warrant, quando vocati fuerint verificationem  
 suam in forma predicta habere possit, eo quod  
 ipsi vocati presentes fuerint, & gratis warrant.  
 Dominus Rex de consilio suo communi sta-  
 tuit, & firmiter de cetero, videlicet, a festo  
 Sancti Hillarij, ann' regni sui xx. precepit ob-  
 seruari, quod quicumque tenens aliquem voca-  
 uerit ad warrant, & petens in forma predicta  
 verificare voluit, admitrat eius verificatio,  
 siue vocatus fuerit absens, siue presens,  
 nullo habito respectu ad eius  
 presentiam, vel ab-  
 sentiam.

¶ Statut de defensione Iuris. & dicit  
*Anno 20. Edw. primi.*

*Rescit 1.*

**C**um quis aliquod breue domini Regia  
impetret verius tenent per legem Ang-  
lie, vel feodum talliatum, vel sub no-  
mine dotis, vel alio modo, ad finem vite,  
vel annorum, & petens tantum fuerit profe-  
curus, quod tenent sunt quasi admittenda &  
*sibi adindicanda*, & super hoc venerit alius  
ante iudicium redditum a latere, dicens se  
habere feodum & ius in tenementis illis, & cu-  
riam supplicauerit, quod ex quo ante iudici-  
um venerit tenent sua defendere, & paratur inde  
petere respondere, ad hoc admittatur ratione  
huiusmodi statuti domini Regis nunc, inter cetera  
ultima statuta Westm. edita [s. W. 2. cap. 3.]  
per quod statutum tam nullum ius habentes,  
quam illi qui ius habent multociens in casu  
predicto falso, & in deceptione curie superue-  
nerint, & petierunt se admitti responsuri, ut  
per admissionem suam possent petere elongari  
de iudicio, & seisinam demandę suę habere, &  
ad faciendū eosdem patentes de nouo placi-  
tare, & sic petentes in casu predicto in curia  
Regis sepius elongantur a iure suo, per mali-  
tiam supradictam, tam de falsitate de predicto  
statuto superueniente, quam ex iusta causa ra-  
tionabili, & hoc corā Iusticiarijs multociens  
contingit & inuenitur: propter quod dominus Rex, ad  
malitiam predictam in predicto casu destruendā,  
reme-

remedium volens apponere, in pleno parlamento suo ex communi consilio suo statuit, & firmiter de cetero, videlicet, à die Lunæ proximo post fest' Purificationis beatæ Mariæ virginis, anno regni sui vicesimo, precepit obseruari: Quod cum aliquis à latere ante iudicium in casu p̄dicto superuenerit, & petierit se admitti, antequam admittatur inueniet sufficientem securitatem, p̄ut curiæ visum fuerit, ad respondendum petenti de valore exituum tenē sic amittendorū, à die quo recipitur responsū, vsque ad diem quo iudicium finale fiat super petitionem petentis. Et si ille petens demandam suā recuperet, grauitur amercietur defendens, si habeat vnde. Et si non hābeat vnde, committatur gaolæ, ad voluntatem Regis. Et si verificare poterit ius suum esse tale, quale illud asserit quando petit ipsum admitti, tunc sit quietus.

*Explicit.*

¶ Statut de Finibus leuatis, & dicitur  
*Anno 27. Ed. primi.*

*Fines 2. cap. 1.*

Q Via Fines in curia nostra leuat finem litibus debēt imponere, & imponunt & ide Fines vocantur, maximè cum post duellum & magnam Assisam in suo casu vltimum locum finale teneant in perpetuum iamq;

## De Finibus leuatis.

iamque per aliquod tempus præteritum, tam tempore claræ memoriæ domini Henrici regis patris nostri, quam nostro, partes eorundem finium, & earum partium heredes (confratres & consuetudines regni nostri antiquitus visitatas) super huiusmodi finibus adnullandis & euacuandis admittebantur, proponentes quod ante finem leuatum, & tempore leuationis eiusdem, & postea, petentes, seu querentes, aut eorum antecessores de tenementis in finibus contentis, aut de aliqua parte eorundem, semper fuerunt seisiiti, & sic fines huiusmodi ritè leuati per Iuratores patriæ falso subornatos, & maliciose procuratos, multociens euacuabantur & adnullabantur minus iuste: Nos volentes super præmissis remedium adhibere, in parliamento nostro ad Westm. statuimus, quod dictæ exceptiones, seu responsiones, vel inquisitiones patrie, super huiusmodi exceptionibus seu responsionibus nullo modo contra huiusmodi recognitiones & fines de cætero admittantur. Et nos vero volumus, quod statutum istud tam locum habeat ad fines prius leuatos, quam in posterum leuandos. Et videant Iusticiarii, quod notè, & fines in curia nostra in posterum leuandi, publice & solemniter legantur, & quod placita interim cessent omnino, & hoc fiat per duos dies in septimana, secundum discretionem Iusticiarii.

*Sherifes 1. cap. 2.*

Item ordinauimus de consilio nostro, quod Vicecom. de cætero non oneretur de aliquibus

bus exit leuand, nec aliquos leuent, antequam exeant de Scaccario per extractas Iustic' ibidem deliberandas. Et quod in extractis Iustic' singula capita onerentur de exitibus suis forisfactis, sicut & de amerciamen-  
tis. Et si forsan aliquis Vicecom' responderit de exitibus alicuius recognitoris, vel plegij, seu manucaptoris per ipsum oppositi, & in curia nostri retornati, qui ad solutionem eorundem exituum seu amerciamentorum tēpore retorni non suffieiat, idem vicecomes ad Scaccarium nostrū inde oneretur & respondeat. Et caueant sibi Vicecomites sub graui forisfactura, quod de cæter' faciant singulis tallias de denarijs quibuscunque per preceptum nostrum per ipsos vicecomites & subditos suos receptis. Et quod non retornent alicubi nomina manucaptorum, iuratorum, seu aliorum, nisi ipsi manucaptores, iuratores, seu alij, secundum tenorem breuium nostrū vicecomit' inde directorum, ad hoc legalitèr & manifestè ponantur. Nec retornent aliqua nomina plegiorum liberorum hominum, nisi ipsi manifestè se plegios consenserint. Et super hoc statuimus, quod quolibet anno semel in anno mittantur vnus Baro, & vnus Clericus de dicto Scaccario nostro per singulos Comitatus Angliæ, ad imbreuiandum nomina omnium, qui anno illo debita per veridem ceram ab eis exacta soluerint. Et ijdem Baro & Clericus, tallias illas videant, & imbreuient, & audiant, & terminet querelas sup vic', & clericos suos, & balli-

## De Finibus leuatis.

balliuos contra premissa venient, & grauiter puniant transgressores.

3 Quia Vicecom, & alij, temporibus retroactis, latrones notorios & manifestos, & pro morte hominis, & alijs felonij captos & imprisonatos, & qui non sunt replegiabiles, per pleuini dimiserunt, contra formam statuti nostri apud Westm editi, de his qui sunt replegiabiles, & qui non, *s.W.I.cap.15.* per quod ipsi malefactores irreplegiabiles, sunt replegiati, ad quorum deliberationem falsum faciend, iuratores patrie p se & amicos suos, ante aduentum Iusticiae itinerantiu, aut aliorum, ad eorum deliberationem assignat, pcurant & subornant, alijsq; minant, ppter qd tam ppter metum Vic, & aliorum, per talem pleuinam illos dimittentium, quam timorem eorundem latronum, seu felonum sic deliberat, coram Iusticiarijs ad gaolas deliberandas assigni hmodi latrocinia & homicidia suffocantur, & ipsa sic conelata penitus remanent impunita: Nos pro vtilitate regni nostri, & pace nostrae firmitus obseruanda, statuimus & ordinauim, qd Iusticiae ad assisas capiendas assignati, in singulis comitatibus, vbi capiunt Assisas, prout ordinatum est, statim post assisas captas in eisdem comitatibus, remaneant ambo si laici fuerint. Et si vnus ipsorum Clericus fuerit, tunc associatio illi Iusticiae qui laicus est, vno de discretioribus Militibus comitatus illius, per breue nostrum deliberent gaolas in com illis, tam infra libertatem, quam extra, de prisonarijs quibuscunq;

secundum

secundum formam deliberationis goale comitatuus illorum hactenus usitatam. Et iidem Iusticiarii tunc inquirent qui vic' & alij, prisonarios irreplegiabiles per pleuinam dimiserunt, vel in aliquo contra formam statuti predicti nuper apud Westmonaster' edicti deliquerint: & quos culpabiles inde inuenerint [iplos] in omnibus, secundum formam statuti predicti puniant & castigent. [28. E. 1. de Appellat.].

*Nisi prius 2. cap 3:*

Item cum statuerimus, qd nullus ponat alicubi extra com in recognitionibus, inquisitionibus, & iuratis aliquibus, qui minus quam C. s. terr', vel reddit' habeat, per qd tam ipsi qd plus terre habentes ppter frequent', tam ad Scaccarium nostru', quam coram Iustic' nostris de utroque banco summonitiones, depauperentur [21. E. 1. de Ponendis in Assis & Iuratis] Nos tam intolerabilem populi nostri iacturam aduentes, non solum ad eorundem iuratorum exoneracionem, sed etiam ad celerem partibus in cur' nostri placitantibus iusticiam exhibend', Statuimus & ordinauimus, qd inquisitiones & recognitiones coram Iusticiariis de utroque banco de cetera, adjudicande, capiantur tempore vacationis coram aliquo Iustic' eorundem, coram quibus placitum deductum fuerit, associato sibi vno Milite com illius, vbi tales inquisitiones emerferint, nisi fuerit inquisitio magna indigens examinatione. Et sic in hmodi inquisitionibus capiendis de cetero fiat, prout Iustic' ad utilitatem

N

regni



## Articuli super chartas.

regni nostri potius esse viderint faciendū, non  
obstante statuto nuper apud West. [2.ca.30.]  
super hūdi inquisitionibus capiendū edit,  
continent, qd si omīssia forma in statuto illo  
ordinat aliquę inquisitiones capiantur, pro  
nullis penitus habeantur. Dat apud Westm  
ij. die Aprilis, Anno regni nostri xxvij. [12.E.  
3.cap.3. de statuto Eboracefi.

*Explicit Statut' de Finibus levatis.*

## ¶ Articuli super Chartas, edit'

*Anno 28. Edw. primi.*

**P**ar ceo que les points de la grande  
Chartre des franchises, & de la foiesse,  
les quez le Roy Henry, pier nost  
seignior le Roy q oze est, granta a son  
people par le pinte de son roialme, ne  
ont pas este tenus, ne gardes atant ces  
heures, par ceo q avant ces heures peine ne  
fuit estable vs les trespasants cointre les  
points des Charters auantdis : Nostre  
seignior le Roy les ad de noueil grant renou  
uail & confirme, Et a la requeste des Pre  
lates, Countes, & Barons a son Parliamēt  
a Westmīnster, en quar esme lan de son reigh  
xxvij. ad certaines pointes assieue, & peine,  
ordeigne, & estable, encounter tous yceulz  
que encounter les pointes des auantdis  
Char

Charters, ou nul point de euz, en nul maner biendront, ou misprendrent, en la forme que sensuit.

Confirmation 1. cap. 1.

**C**estascavoir, q de ci en auant la grand Charter bez franchises Dengleterre, grant a tout la commune Dengleterre, & la Chas de la Forest in mesme le maner grant, soient tenus, gards, & maintenus en chescun article, & chescun point, auxy pleinement come le roy les ad graunt, renouels, & per la charter confirme. Et q celles charters soient baillies a chescun viscont Dengleterre desoubes le seale le Roy, a hier quarter soites per an devant le peopple en pleine countie: cestascavoir, au pcheine countie apz la saint Michael, au pzochein countie apz la Nowel, au pzochein countie apz la Pasche, & au pcheine countie apz la saint John Baptist. Et a ceuz deux charters en chescun point, & en chescun article dicel, fermement tener, & garder, ou remede ne fait auant p la common ley, soient esleus en chescun countie p la communes de mesme la county trois probes homes chivalers, ou autres loialz lages, & auises, q soient iures & assignes per les letters le Roy ouertes de son grand seale, de oper & terminer, sans auier bse q lout common grant, les pleints q se feroient de toutes peuz, que contre biendront ou misprendront en nul des dits points des auantdits charters en counties ou ils sont assignes, auxy bien dedens franchises, come dehors, &

42 Articuli super chartas.

auxprien des ministres le roy, hoys de leur  
places, come des auters, e les plaintes oper  
de tour en tour sans delay : e les terminent  
sans allover les delapes, q̄ sont alloves p  
la common ley. Et q̄ mesme ceux chivalers,  
eient poper de punier tous ceux q̄ serrent  
atintes de trespas fait encontre bi point  
des charters avantdits, ou remedy ne fuit  
avant par la cōmon ley, auxp come avant est  
dit par imprisonment, ou par ransoms, ou p  
amercement, solongz ce q̄ le trespas le de-  
mande. Et per ceo nentend pas le Roy, ne  
nul des loiens que a cest ordeignement fue-  
rent, que les chivalers avantdits, teignent  
nul ples per le power que done leur soit, en  
cas ou avant ces heuers fuit remedy par-  
my solongz la cōmon ley p̄ hiesle : Ne que  
prejudice soit fait a la common ley, ne a les  
charters avantdits, en nul de leur points.  
Et voit le Roy, que si touts trois ne soient  
presentes, ou ne purront a touts les soites  
attendre, a faire leur office en la forme a-  
vantdit, q̄ deux des trois le facēt. Et ordeign  
est q̄ les biscons e les baillifs le roy soient  
attendants a les commander des avant-  
dits Justiz, en quant q̄ appent a leur office.  
Et oust ces choses graunts sur les points  
des chartes avantdits, le roy de la grace espe-  
cial, en alienance des grēances, q̄ son peopl  
ad evo per les guerres q̄ ont estre, e e an de-  
sint de leur estate, e pur tant q̄ ils soient plus  
prises a son service, e plus voluntiers ay-  
dants, q̄nt il en auet a fait, ad grant alguns  
articles,

articles, les queux il entend que tyendront auxy bien lieu a son peuple, & auxy grand profit ferront, ou plus, q̄ les points auant graunts.

Purueiours 4. & 5. cap. 2.

**E**mpzimes, pur ceo q̄ un grand gre-  
uance est en cest Roialme, & dains sans num-  
ber, de ces que le Roy & ses ministres de la  
Roialme, auxy bien les aliens, cōe les den-  
zens, font lour pzises par la ou ils passent p̄  
my la Roialm, & pernent les biens des gētz,  
des cleres, & des layes, sans rien payer, ou  
bñ meins q̄ la balue : Ordeine est, que de ci  
en auant nul ne figh pzises p̄ my le totalm,  
fozsq̄ les pernozs le Roy, & les Purueiours  
pur l'hostell le roy. Et q̄ les pnoirs le roy,  
& purueiours pur son hostell ne pzeignent  
ryens, fozsq̄ pur mesm l'hostell. Et des pzi-  
ses q̄ ils ferront p̄ my le pays de manger ou  
de boyer, & des autres menus necessaries  
pur l'hostell, que ils facent la paie ou grece a  
ceux, des q̄ux les choses ferront pzises. Et  
q̄ tous ceux pernoirs le roy, purueiours,  
ou achateurs, eyent de ci en auant lour gar-  
rant, ouesque eux du grande seale, ou un  
petite seale le Roy, conteignant lour poier,  
& les choses dont ils ferront pzises, ou pur-  
ueyance, le q̄l garrant ils monstrent a ceux  
des q̄ux ils ferront la pzise, auant ceo q̄ ils  
empzeignent rien. Et q̄ ceux pnoirs, pur-  
ueiours, ou achateurs le roy, ne pzeignent  
plus q̄ besoigne & mestier ne soit pur le roy  
& son hostell, & de ses enfans. Et q̄ ryens

## Articuli super chartas.

ne ppeignent par ceux que sont as gages, ne  
par nul autre. Et q̄ ils respoignent en libe-  
reite, ou en la gardrobe pleinement de tous  
leur prises, sans faiz leur largesses aillors,  
ou liures des choses, que par le roy serroūt  
prises. Et si bi pernoir del hostel le roy, per  
garrantie que il est, face prises, ou liures en  
ant maner, que deuis n'est dit, p̄ plaint fait  
al senechal, e au tresorier del hostel le roy,  
soit la verite inq̄le. Et si de ces soit attaint,  
soit grez maintenant fait al plaignte, e soit  
suis de service le roy par tous tours, e  
demurge en prison a la volunt le roy. Et si  
bi face prises sans garrantie, e les empozt  
encounter la volunt de celui, a q̄ les byens  
sont soit maintenant arrest per la ville, ou  
le prise sera fait, e amess a la pchein gaole.  
Et si de ces soit attaint, soit a fait de luy, cōe  
de larron, si la quantite des byens ceo de-  
maunde. Et quant as prises faits in fairez,  
e en bones villes, e en portez, par la grand  
gardrobe le roy, etent les pernoiz leur com-  
mon garrant p̄ le grand seale. Et des cho-  
ses q̄ ils pprendont, eyent la teimoigne du  
seal due gardein de la gardrobe. Et des  
choses issint per ceux prises, de nombre, de  
quantite, e de valur, soit fait diuidend enter  
les pernoiz e les gardeins des villes, e portez,  
ou chiefe baylies des villes, e portez,  
per le dieu de merchants des q̄ur les byens  
serroūt issint prises. Et riens ne luy soit suffi  
de pprendre, q̄ il ne mette en diuidende. Et cel  
diuidende soit pozt en gardrobe sous le  
seal

seale le Gardeine, Mator, ou chiele Badise  
auantdit, e la demurge tant sur l'accompt  
du garderobe le Roy. Et si soit trone q' il  
est auerement p'ise, que faire ne deneroit,  
soit p'inie sur l'accompt per le Gardeine de  
le garderobe le roy, solong la desert. Et si il  
face tiez p'ises sans garratie, e sur ceo soit  
ataint, soit fait de luy come de ceus que s'ot  
p'ises pur l'hostel le Roy sans gart, come  
desuis est dit. Et nentende npe le Roy, ne  
son Counsaile, q' p' cest statute rien decesses  
au Roy de son droit des anncient p'ises  
dues e accoustomes, come des bynes, e au'z  
biens : mesq' en tous points pleinement luy  
soit save.

Marshallie 1. cap. 3.

¶ Des estates des Beneschalr, e des  
Marchalr, e des p'ers q' euz devoist tener,  
e coment : Ordeine est, q' desozmes ne trigh  
p'le de franktenest, ne de dette, ne de coue-  
nant, ne de cōtract des gēz de peple, forsq'  
tantsolement de tris del hostel, e d'anters  
trespases fait dedens la bierge, e des con-  
tracts e comenants, q' aucun del hostel le roy  
auera fait a anter de meisme l'hostel, e en m  
le hostel, e nemy ailleurs. Et nul p'le de  
trespas ne pledzont, anter q' ne soit attache  
per euz, auant ceo que le Roy issen ho'z de  
la bierge ou la trespas sera fait. Et les p'les  
des haillinement de tour en tour, issint q' il  
soient pledes e termines auant ceo que le  
roy issen ho'z des boundes de cel bierge, ou  
le trespas fait fait. Et si par cas dedens les

## Articuli super chartas.

bonndu de del verge ne poist estre termines,  
cessent tieil ples deuât le seneschall, & soit  
les ples a la cōmmon ley. Ne desozmes ne  
pze igh le seneschall conuances des vete, ne  
pauter chose, forsq des gentz del hostell a  
haucioit, ne nul auter ples en tiend per ob-  
liga fait a le distresse le seneschall, ou le  
Hareschall. Et si les Seneschals, ou le  
Hareschals rien facent en cōtraire cest ordi-  
nance, soit lour fait tenuz pur nul. Et pur  
ceo q̄ apant ces heitres mults des felonies  
fait dedeins la vierge ouint estre depunies,  
pur ces q̄ les Cozoners de pays ne se ont  
pas entermis vendrer des tieil maners des  
felonies dedeins la vierge, mes le cozoner  
del hostel le roy, q̄ est passant, de quoy issue  
had ny estre fait en due maner, ne les felons  
mis en exigēt, ne vilages, ne riē de ceo pze-  
fēt en eyze, q̄ ad ēe a graūb damage du roy,  
sa meins bone garde de la peace: Orbeine  
est, que desozmes en case de mozt de home,  
ou office de cozoner appēt as biewes, & en-  
questz de ceo faire, soit mand al cozoner  
del pays, q̄ ensemblement oue le cozoner del  
hostel le roy face loffice q̄ appēt, a le metter  
en rolt. Et ceo q̄ ne purra nūc deuât le Se-  
neschal estre termine, pur ceo q̄ lez felōs ne  
purrot estre attaches, ou pur aut enche lon,  
dēmprge a la cōmen ley, issint q̄ les exigēt,  
vilagerz, & presentmēt en eyze soient de  
ceo foytz p le cozoner du pays, auxi cōbe des  
auters felonies faits hors de la verge. Orz  
pur ceo ne soit leste, que les attachements  
ne soy-

ne soyent faites freshment sur les felonies  
faits.

Common plects 2. cap. 4.

**C** Ouster ces nul cōmō plē ne soit desoz-  
mes tenus a Lelcherquer, encoister la forme  
de la graund charter. [cap. 11.]

Chauncerie 1. cap. 5.

**E**t daut part le Roy voit q̄ le Chas-  
celloz, & les Justices de son bank luy sui-  
uent, issint que il eyt tousz jours p̄ces de  
luy ascun sages de la ley, que sachent les  
besoignes, que veignent a la court dūement  
delivrer a tousz les foites que mestier  
sera.

Seale 1. cap. 6.

**D**esouth le petite Seale, ne issira de-  
sozmes nul b̄re q̄ touche le common ley.

**7** **L**e Constable du chasteil de Doner  
ne pleade desozmes a la porte de chasteil nul  
plē forein du County, q̄ ne touche le garth  
du chasteil. Et le dit Constable ne distreign  
les gents du Cinq Ports, a plēde aploz, ne  
en anter mener q̄ ils deuoient, solonque  
la forme des Ch̄r̄s q̄ ils ont des Royes,  
de leur franchises auncients, affirmes per  
le grand Charter [cap 4.]

Shirife 2. cap. 3.

**L**e Roy ad graunt a son people, q̄ ils  
eyent election de leur Wiscount, en chescun  
Countie ou Wiscount nest mye de lō, s̄ils  
voient. [Post cap. 13.]

Jurors 3. cap. 9.

**L**e Roy voit, & commande, que nul  
Wiscout,



## Articuli super chartas.

Discont, ne Bail, ne mette en enquestes, ne in Juries, plus des gentes, en auters ne en auter maner q̄ il est ordeine per estatute, & que ils mittent en tiels enquestes, & juries, le plus procheines, le plus suffisants, & meimes suspicions. Et que auerint le fra, & de ceo soit attain, rendē au plointife ses dān en double, & soit en la greue mercie le Roy. [Questiō 2. cap. 38.]

### Conspiracie 1. cap. 10.

¶ En droit des conspirateurs, faux en-  
foymons, & maliciu procurours des dou-  
seines, enq̄s, assises, & Juries, le Roy ad  
ordeine remede as plaintifes per brieses de  
Chancellarie. [33. E. 1. de Conspiracion]  
Et indemaines doit le Roy, q̄ les Justices  
de lun bank, & del auter, & Justices d'assises  
p̄ndē assignes, quant ils veignant en pais  
a faire leur office, de ceo facent leur enq̄s  
a chescun pleint sans brieve, & sans delay sa-  
cent droit as plaintifes.

### Champertie 2. cap. 11.

¶ De rechese, pur ē q̄ le Roy auoit auāt  
ordeign per estatute [W. 2. cap. 49.] que nul  
de ses ministers ne p̄st nul plē a champ-  
tie, & p̄ cel estatute auters ministers n'estoi-  
ent pas auant ces heures a ceo lies : Vloit  
le Roy, q̄ nul ministr, ne nul auter, pur part  
auoir des choses q̄ sont en plē, enp̄eigne  
les besoignes que sont en plē. Ne nul sur  
tiel couenant son droit ne lesse a auter. Et  
si bi le face, & de ceo soit attain, soit for fait, &  
encurē deuers le roy des biens, & des terres le

le permout, a la value de tant com la partie  
de s<sup>on</sup> purchas per tiel emprise amostet. Et  
a ceo atteind, soit rescue celuy q<sup>ui</sup> suer bond<sup>e</sup>  
pur le roy deuant les Justices, deuant q<sup>ui</sup>  
le pla<sup>ce</sup> auet este, & per eux soit lagard<sup>e</sup> save.  
Mes en ceo cale n'est mpe a entend<sup>e</sup>, q<sup>ui</sup> hom<sup>e</sup>  
ne poit auer conseil des countours, & des  
sages gentes pur son donant, ne de ses pro  
chaine amies.

Det al roy 4. cap. 12.

**E**t De recheit voit le roy q<sup>ui</sup> distresses que  
sont a faire pur la dett, ne soient faits per  
bestes des charnes, tanque come home poit  
auter trouver, solong<sup>e</sup> ces que est ordains as  
lours p<sup>er</sup> estature, one la peine sc. [ 51. d. 3. de  
Dist<sup>ress</sup> scaccarij. ] Et ne voit que trope greue  
distres soit prise pur la dette ne trope loign<sup>e</sup>  
meine. Et si le dettour puisse troner suffi  
sant, & conuenable suertie leique a un tour  
deins le tour al vicount, dedeynes le quel  
home puisse purchaser remedie a faire gr<sup>ace</sup>  
de la demaunde, soit la distres releue ende  
mentiers, & que auerant le fra, soit greueit  
punie.

Shirifes 1. cap. 12.

**E**t pur 2<sup>e</sup> q<sup>ui</sup> le roy ad grant le election  
des viscounts a ceux des countes [ 1. antea  
8. ] voit le roy que ils essient tiel viconts,  
que ne les charge mie : & ne mittent nul mi  
nistre en baillie pur loier, ne pur doil. Et q<sup>ui</sup>  
tiels ne se herbergent trope sount en un li  
eu, ne sur les pouers ne sur les religieux,  
[ 9. E. 2. Lincol<sup>n</sup> de vicecomitibus. ]

Hundreds

## Articuli super chartas.

Hundreds 1. cap. 14.

**C** De recheſe doit le Roy, que les baillifs & les huns du Roy, ne les autres grand ſhis de la terre, ne ſoient telles a trope grand ſumme a ferme, per quoy le peuple ſoit græue ne charge per contribution faire a tielx fermes.

Proces 1. cap. 15.

**C** En Summons, & en Attachmẽts en plæe de terre, deſozmes conteigh la ſummõs ou lattachment le terme de vi. iours a tout le meins, ſolongs la cõmon ley, ſil ne ſoit en attachment des aſſiſes pzendẽ en pzeſence le Roy, ou des plæes demant Juſtices en eyze durant le eyze. [Vide Parlemt cap. 12.]

Retorne de Vicont 2. cap. 16.

**C** Soit fait de ceux q̃ ſont ſaux retozne des bziefes al mandemẽt le Roy per quoy bzoyture eſt deloy, auxy come ordeine eſt en le ſecond eſtatute de Wileſtminſter [cap. 39.] oue la peine.

Proclamation 1. cap. 17.

**C** Et pur ceo q̃ multes miſſeſours ſont en la terre plus que ne ſolent, & robbertes, arſions, & homicides ſaits ſans number, & la peace meines bien garde, pur ceo q̃ leſtatute, que le Roy fiſt faire nadgaires paſſes a Wincheſter, [W 12. C. 1.] nad pas eſte tenus: Moit le Roy q̃ cel eſtatute ſoit de novel enuoy en cheſcũ countie, & ſoit lie & publiẽ 4. ſoies per an, auxy bien come les deũt grand charters, & ſirmeũt gardes en cheſcun point, ſur les peines que la cyens ſont alleſſes.

asselles. Et a cel estatute garder & mainte<sup>n</sup>  
ner, soient charges les trois chivalers, que  
sont assignes per mye les counties pur re-  
dreser les choses faits encontre les grand  
charters, & de ceo eyent garrantie, [ ante  
cap. 1. ]

Wast 5. cap. 18.

**C** En droit des wastes & destructions  
faits en gardes per Eschetors & Subesche-  
tors, de measons, bois, parkes, viners, & de  
toutes autres choses, q̄ eschient en le maine  
le Roy: Vloit le Roy, que celui que auet le  
damm̄ esceu, eit h̄e de wast en la Chancery  
vers Leschetoz de son fault, ou Subesche-  
toz de son fait, sil eyt de quoy respondre, & si  
nad de quoy, ci respond son souverain per  
autiel peine, quant as damages, cōs dastre &  
ordeine est per estatute sur ceux que sont  
wast en gardes. [ Gloz cap. 5. & drest. 1.  
cap. 21. ]

Liuerie & ouster le maine 1. cap. 19.

**C** De reche la ou Leschetoz, ou le Mis-  
cont seissent en la maine le Roy aus terres  
la ou il nad reason de seisser: & puis quant  
trouue est le non reason, les issues du mesme  
temps ont estre ceo en arere retenus, & n̄y  
rendus, quant le Roy ad la maine ouste:  
Vloit le Roy q̄ desozmes, la ou terres sont  
issint seisses, & puis la maine ouste pur ceo  
q̄ il nad reason de seisser, ne ceo tener, soient  
les issues pleinement rendus a celui a que la  
terre demurre, & auera le dam̄ rescue. 23.  
C. 1. De Eschetozibus.

Gold

## Articuli super chartas.

Gold &c. i. cap. 20.

**E** Ordeigne est q nul Orsuer Dangle terre ne alloz de la seigniorie le Roy, ne ornerre, ne face de ci en avant nul manner de vessel, ne saiair, ne aut chose doze ne dargēt, q ne soit de bone & hay alloy, cest assavoir, oze de certaine touche, & argent del alloy del sterling, ou de melior alloy, solunq le volunt de celui, a que les ornerers sont. Et que nul orner, peioz argent que money. Et que nul maner de vessel dargent, ne depart hois des maines des oulerours, tangs el soit assay per les gardeines de le mistet, & auxy que el soit sign dun teste dun Leoparde. Et que nul ne ouer peioz oze que de touche de Paris. Et que les gardeins du mistet aillent de shope en shope enter les orseours, assaiants q loze soit tuel cōe la touche auantdit. Et sils trouuēt nul peioz q la touche, q lozēt soit forfist al Roy. Et que nul ne face auneur, croir, ne firmanr. Et nul ne mett ptre en oze, si il ne soit naturel. Et que taillours des aimans & dez seales, rendant a chescun son poyz dargent & doze auxy auant come ils le purront scaner sur leur fealry. Et les loiaux doze, q ils ont entermaines de veil ouere, que ils sen delideront & plus tost q ils purront. Et sils achātent desoz en auant de mesme cell auerage, que ils lachatent pur deferte, & ne my pur renender. Et tous les bonez villes Dengleterre, la ou il y ad orseures, que ils facent per m lestatute, come ceux de Londres sont. Et que de veigne de chescun ville pur

luis fac  
prouit

Articuli super chartas. 98

pur tous, a Londres, de quel leur certains  
souche. Et si bit Dileur soit attaint que  
auterment le face que desuis nest ordeine,  
soit punie per prison, e per ranfome a la vo-  
lunt le Roy. Et en tous les choses desuis  
dits, e chescun de els voit le Roy, e leant il  
e son Councel, e tous ceur que a cest  
ordeinement fuerent, que le dyoit  
e la leignorie, de la Cozone  
sanes luy soient per  
tous oc.

*Expliciunt Articuli super Chartas.*

¶ Statutum de Appellatis

Note that this Statute is in other printed  
intrusely intituled *Modus leuandi*  
*Fines.*

*Appellatis.*

**C**Um certi Iusticiae in singulis Comita-  
tibus Regni ad Assisas in eisdem ca-  
piendas de nouo assignati sint, simul-  
que ad deliberatione Gaolaru eorun-  
dem Comitatum in singulis adueticis  
suis fac' post captionem eorundem assisarum  
prout in statuto domini Regis inde confecto  
plenius

## Statutum de Appellatis.

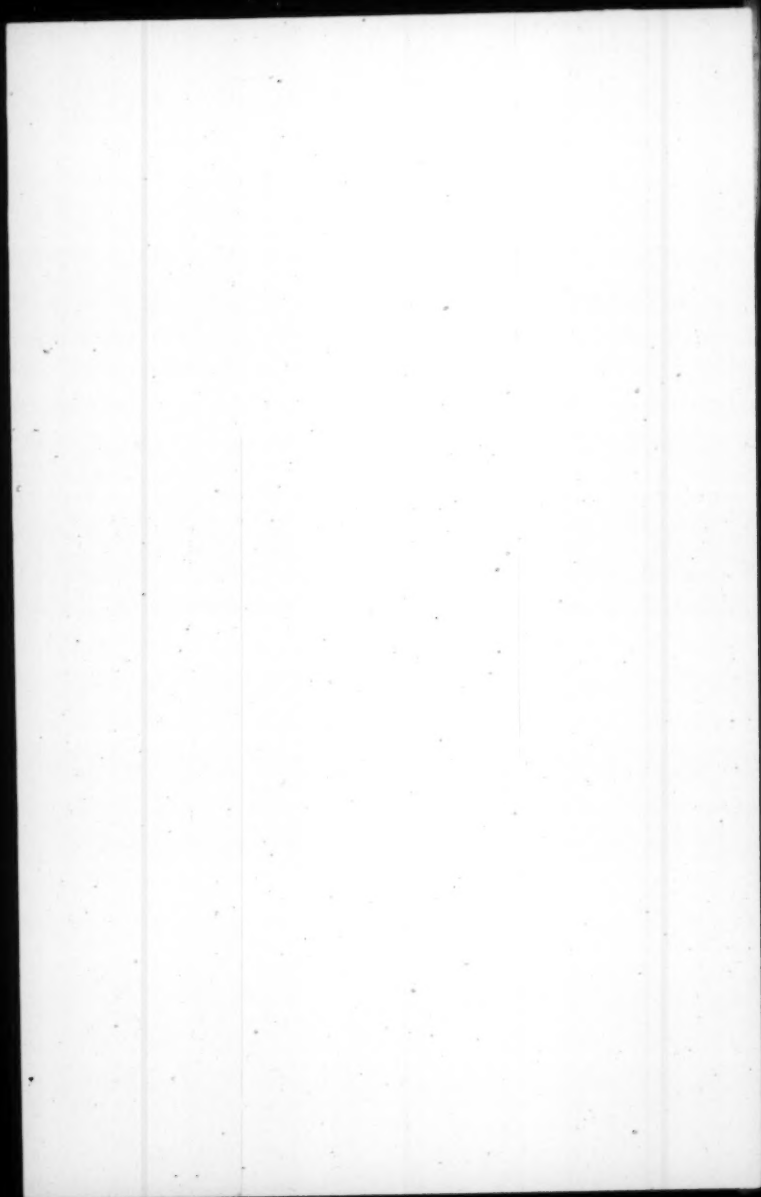
plenius continetur. [27. E. 1. ca. 13. de Finibus  
leuatis.] Dñs Rex ad Parliamentum suum apud  
Westm, Anno regni sui 28. pro pace firmius  
obseruanda, felonibusq; celerius conuincendi  
& prisonibus citius deliberandi, concessit, ordi-  
nauit, & statuit, qd quicumque fuerint ap-  
pellati per probatores existē in gaolis, quas  
ipsi Iustic' deliberant, & vbiunque in regno  
nro ipsi appellati commorantes fuerint, aut  
latitantes, qd statim mandetur Vic' in quo-  
rum balliua talis appellati fuerint conuersan-  
tes aut poterint inueniri, per breue dñi regis  
sub testimonio eorundem Iustic', qd taliter  
appellatos capiant & ducere fac', ad gaolas  
vbi appellatores per quos appellant fuerint  
detenti, & ibidem coram ipsis Iustic' respon-  
deant. Et si ipsi appellati, se super patriam po-  
suerint, similiter mandetur per breue de Iudi-  
cio per eosdem Iustic' vic' in cuius balliua fe-  
lonie factę fuerint, de quibus appellantur, qd  
venire faciat coram eisdem Iustic' inquis. pa-  
triz ad eundem locum, vbi appellatores sunt  
detenti, ad certum diem. Et vic' & alij in quo-  
rum custodia appellatores detinentur, admit-  
tant sine contradictione appellatos per eos-  
dem probatores, cum idem appellati capti  
fuerint in forma predicta, & ad ipsos appel-  
latores adducti.

¶ Sta-

[illegible]

2-





**¶ Statut de coniunctim Feoffatis,**

*Anno 34. Edw. primi.*

*Affise 7. cap. 1.*

**R** Ex omnibus ad quos &c. Salutem.  
Non est nouum quod nos inter cæte-  
ras Legum editiones quas tempori-  
bus nostris adinuenimus, pro nimia &  
enormi transgressione, quæ in breuibus  
Nouæ disleisinæ contingit præ cæteris, in  
illis breuibus celerius apponi decreuimus  
remedium. Et quia quamplur contingit,  
quod in Affisa Nouæ disleisinæ tenens ex-  
cipit, contra querentem, quod tenet testi-  
petita coniunctim feoffatus cum vxore sua  
non nominata in breui, aliquando cum a-  
liquo extraneo qui similiter non nomina-  
tur in breui, & pfert chartam quæ hoc testa-  
tur, & petit iudicium de breui: Concorda-  
tum est & statutum, quod si pars querens  
offerat verificare per assisam, quod die impe-  
trationis breuis sui, ille qui talem exceptionem  
proposuit, fuit solus tenens, ita quod  
vxor sua, nec alius aliquid habuerit in præ-  
dictis tenementis, tunc Iustic' eorum quibus  
prædicta assisa arrainata est, retineant præ-  
dictam chartam saluo in custodia eorundem,  
quousquæ Assisa inde inter eos transierit, ut  
illam que quasi dedita est.

2 Et scire faciant per breue nostrum sub  
orū testimonio, parti absenti, quem charta  
testat

## De coniunctim Feoffatis.

testat simul cum tenente qui presens est coniunctim feoffatum, qđ sit ad certum diem responsurus, simul cum alio tenenti parti querenti, tam de exceptione proposita, quam de ten petitis & positis in visu, si sibi viderint expedire. Ad quem diem si ambo qui dicuntur tenentes venerint, & feoffamentū illud aduocauerint, respondeant, & manuteneant, exceptionem p vnū eorū ppositam, & similiter vltcrius ad assisam, ac si bñc originale super eos coniunctim fuisset impetratum.

3 Et si conuincatur p assisam, qđ exceptio illa in retardationem iuris querentis maliciose fuit pposita, eo qđ ipsi non fuerunt coniunctim feoffati de ten illis, die impetrationis pđ bñs, tunc licet assisa illa tranſerit p tenetibus, & contra querentem, nihilominus puniantur talē exceptionē pponentes, p prisonā vnus anni, a qua non exeant sine graui redemptione.

4 Et caueant de cetero Iustic, qđ talem exceptionem si ppositā p balliuos aliquorū tenentium non admittant. Si autem ille qui exceptionem illam proposuit se ad diem illum absentauerit, & alter qui dicitur coniunctim feoffatus comparuerit, licet ipse cōparens pđ cartam aduocauerit, & dixerit se nihil habere in pđ ten, nihilominus adiudicetur assisa versus tenentem absentem per eius defaultam. Et si conuincatur p assisam, qđ ipsi non fuerunt coniunctim feoffati, die impetrationis bñs pđdicti, & si similiter conuincatur quod tenens super quem breue fuerit

rit impetratum, vel alius nominatus in breui disleisierit querentem, tunc habita consideratione ad exceptionem in læsionem partis falsam & malitiosam propositam, & ad disleisionem per eos factam, pars querens recuperet seisinam suam, & dampnum sua in duplo, & proponentes illam exceptionem habeant poenam supradictam.

5 Si autem neuter tenentium ad diem illum venerit, tunc per eorum defaultam versus eos capiatur assisa. Et si compertum sit per eandem, quod exceptio illa verè & ritè sit proposita, quia ipsi qui eam proposuerint fuerunt coniunctim feoffati antequam querens beneficium suum versus eos impetrasset, non procedatur ulterius ad assisam, sed cessatur breue querentis. Hoc idem obseruetur si ambo vel vnus tantum venerit, si comperiatur per assisam, quod exceptio predicta (ut predictum est) veraciter fuit proposita. Eodem modo statutum & concordatum est, quod in Assisis mortis antecessoris, & breui de Iuris verum, ad primum diem quo partes comparuerint in curia, si tenens proponat predictam exceptionem contra patentem, & de hoc pretendit chartam, & petens offerat verificare per assisam, vel iuratam, quod die impetrationis beneficii sui, ille qui talem exceptionem proposuit, fuit solus tenens, extunc idem processus & modus procedendi seruetur in huiusmodi assisa mortis antecessoris, & breui de Iuris verum, qui ordinatus est, & statutus in assisis nouè disleisionum.

6 Et eadem poena delinquentibus & convictis infligatur. In alijs vero breuibz per quos

## De coniunctim Feoffatis.

tenementa petentur, talis fiat processus, qđ si primo die quo partes comparuerūt in curia, tenens proponat exceptionem prædictam de coniuncto feoffamento, & petens offerat verificare per iurata patriæ, quod die impetrationis brevis sui, ille qui exceptionem illam proposuit fuit solus tenens, tunc idem processus & modus procedēdi seruetur inter partes, quousque iurata inde inter eas transferit. Et si comperiat per iurata quod exceptio illa veraciter fuerit proposita, tunc cassetur breue petentis. Et si comperiat per iurata, quod exceptio illa falsa & malitiosè in læsionem partis fuit proposita, tunc petens recuperet seisinam suam de tenementis petitis, & tenens puniatur per poenam supradictam in Assisa nouæ disseisinæ, quoad prisonam, & quoad dampna secundū discretionem Iustic'. Et volumus & concedimus, quod istud Statutum incipiat locum tenere in crastino sancti Petri ad vincula proximum futurō.

*Indicauit. cap. 2.*

¶ Quia etiam lites in curia Christianitatis hæcenus indebitas dilationes multociens sortiebantur, per hoc qđ breue nostrum quod vocatur Indicauit, iudicibus talium lituum in initio earum dilatum fuit, & super hoc capitalis Iusticiarius noster ad consultationem super tali processu faciendā, ritè seu debito modo nequit procedere: Concordatum est, qđ tale breue Indicauit alicui de cetero non concedatur, antequam lis in curia

## Stat de frangentibus prison. 101

curia Christianitatis inter partes fuerit contestata, & per inspectionem libelli Cancellarius noster certioretur super hoc. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westm 27. die Maij, Anno regni nostri 34.

*Explicit statutum de coniunctim Feoffatiis.*

## ¶ Statut de frangentibus Prisonam, edit Anno primo Edw. 1.

*Felonie 2.*

**D**E Prisonarijs prisonam frangentibus, Dominus Rex vult & præcepit, quod nullus de cætero qui prisonam fregerit, subeat iudicium vitæ vel membrorum pro factione prison tantum, nisi causa, p qua captus & imprisonatus fuerit, tale iudicium requirat, si de illa secundum Legem & consuetud terræ fuisset conuictus, licet temporibus præteritis aliter fieri consuevit.

¶ Articulus stat' Gloc', correctus  
pro Ciuibus Londōn, de Forensi-  
cis vocatis ad warf in Hu-  
Ringo Lond [9.E.2.]

Voucher 7.

**P**rimier est enlement, que si home  
employé en la Cité de Londres,  
bouche forzē a garrantie, le Mayor  
& les Bailifes aioznent les parties  
deuant Justices de bank au certain  
iour, & enuoyent la leur record. Et les Ju-  
stices faē summon le garē deuant eux, &  
pledent le garē. Et le Mayor & les Bai-  
lifes en dementiers surcellent a la parolle  
que est deuant eux per bfe, telq a taunt que  
que la paroll de la garē soit termine deuant  
Justices du banke. Et quant la parolle  
terra termine en bank, terra dit al garē, que  
il voise en la Cité, & respotgh del chiefe  
plex. Et le demaundant per la suit ept des  
Justices de bank au Mayor, & aux bailifes  
que ils voissent auant en le pla. Et si le de-  
mandāt reconet, beigh le tenāt aux Just:  
de banke, & est bfe au Mayor & as bailifes,  
que si le tenant eit sa terre perdu, que ils  
facent extendre la terē, & retournent lertent  
au banke au certain iour, apzēs soit manū  
au viscount du pais ou le garē soit sumū,  
que il face auoir de la terē du garrant a la  
baliance. Et sil aueigh, que le tenant face  
de fault au iour q̄ luy est doñ en banke, don-  
ques

ques issira hziels des Justices du bank as  
 Mayoz & bailiffes de prendre le tement  
 demande, en la maine le Roy per le petit  
 Cap, & de summoſi le tenant q il soit al Hu-  
 ſting au certaine iour, dont les Justices  
 ſerẽ auiles, & rendẽ indgemẽt de cel defaut,  
 ſi ne la puiſſe ſaner, & ſi la puiſſe ſaner, &  
 donq̃s les Justices ſotent de ceo certifies p  
 leur recozẽ, & les Justices per leur recozẽ  
 pledent le garẽ.

*Memorandum* quod iſte Articulus in for-  
 ma præd' conſignatus fuit ſub magno ſigillo  
 domini E. filij Regis E. anno regn' ſui nono, &  
 miſſus Juſtic' de banc' in modum brevis pa-  
 rentis, cum quodam breui clauſo ſub data  
 Regis apud Weſtm' ſecundo die Maij anno  
 prædicto, quod ipſi omnia & ſingula in arti-  
 culo prædicto contenta facerent & exeque-  
 rentur: Non obſtante quod articulus

ille in omnibus cum Statuto

Gloc' [cap. 12.] non  
 concordat.



## ¶ Articuli Cleri, æditi

Anno 9. Edw. 2.

**E**dwardus Dei gratia Rex Angliz, &c. Omnibus ad quos præsentēs literæ peruenierint, salutem. Sciatis quod cum dudum temporibus progenitorum nostrorum quondam Regum Angliz, in diuersis Parliamentis suis, & similiter postquam Regni nostri gubernacula suscepimus, in parliamentis nostris, per Prælatos, & Clerum Regni nostri, plures Articuli continentes grauamina aliqua Ecclesiæ Anglicanæ, & ipsis Prælati & Clero illata, vt in eisdem assererebatur porrecti fuissent, & cum instantia supplicatum, vt inde apponeretur remedium opportunum, ac nuper in Parlamento nro apud Lincoln' an' regni nostr' nouo, Articulos subscriptos, & quasdam responsiones ad aliquos eorum prius factas, eorum consilio nro recitat, ac quasdam responsiones corrigi, & ceteris articulis subscriptis p' nos & dictum consilium nrm fecerimus respondere: quorū quidem Articulorū & responsionum tenores subsequunt in hunc modum.

*Prohibition 1. cap. 1.*

¶ In primis Laici impetrant prohibitiones in genere sup' decimis, obuentionibus oblationibus, mortuarijs, redemptionibus penitentiar, violenta manuum iniectiōe in Clericum vel conuersum, & in causa diffamation: in quibus casibus agitur ad pœnam canonicam imponendam: Rex ad istū articul' respondit, quod in decimis, oblationibus, obuen-

obuentionibus, mortuarijs, quando sub istis nominibus proponuntur, prohibitioni Regie non est locus: etiamsi, propter detentionem istorum diuturnam ad estimationem earundem pecuniarum veniaſ. Sed si clericus vel Religioſus decimas ſuas in horreo ſuo congregatas, vel alibi exiſtentes vendiderit alicui pro pecunã, ſi petatur pecunia coram Iudice eccleſiaſtico, locum habet Regia prohibio, quia ꝑ venditionẽ res ſpirituales fiunt tẽporales, & tranſeunt decimæ in catalla.

*Prohibition 2. cap. 2.*

Item ſi ſit contentio de iure Decimarum, originẽ habens de iure patronaſ, & earundẽ decimaſ quantitas, aſcendat ad quartam ꝓtẽ bonorũ Eccleſiæ, locum habet Regis prohibio, ſi hæc cauſa coram Iudice eccleſiaſtico ventiletur. Item ſi Prælatus imponat pœnam pecuniariã alicui ꝑ peccatũ, & repetat illam, regia prohibio locum habet. Veruntamen ſi Prælati imponant penitentẽ corporales, & ſic puniti velint hĩndi penitentias ꝑ pecuniam redimeſ ſponte, non habet locum regia prohibio, ſi corã Prælatus pecunia ab eis exigatur.

*Prohibition 3. cap. 3.*

Inſup, ſi aliquis violentas manus iniecerit in Clericum ꝑ violẽtia facta, debet emenda fieri coram Rege, pro excõmunicatione verũ coram Prælato, vbi imponatur penitentẽ corporalis, quem ſi reus velit ſponte per pecuniam redimere, dandũ Prælato vel læſo, poteſt repeti coram Prælato, nec in talibus regia prohibio locum habet.

*Probi-*

## Articuli Cleri.

### *Prohibition 4. cap. 4.*

In diffamatoribus etiā corrigant Prælati supra dicti modo, Regia prohibitione non obstante, primo iniungendo poenam corporalem, qd si reus velit redimere, libere percipiat Prælatus pecuniam, licet Regia prohibitio porrigatur.

### *Prohibition 5. cap. 5.*

Item si aliquis in fundo suo Molendinum erexit de nouo, & postea à rectore loci exigat decima de eodem, exhibetur regia prohibitio sub hac forma : Quod de tali Molendino hactenus decime non fuerunt solutæ, prohibemus &c. & sententiam excommunicationis, si quam hac occasione prouulgaueritis, reuocetis omnino. ¶ Responsio. In tali casu nunquam exiuit regia prohibitio de principis voluntate; qui & decernit talem perpetuo non exire.

### *Iurisdiction 2. cap. 6.*

Item si aliqua causa vel negotium, cuius cognitio spectat ad forum Ecclesiasticum, & coram Ecclesiastico Iudice fuerit sententialiter terminatæ, & transierit in rem iudicatam nec per appellationem fuerit suspensum, & postmodum coram iudice seculari sup eadē re inter easdē personas questio moueatur, & probetur per testes vel instrumēta, talis exceptio in foro seculari non admittatur. ¶ Responsio. Quando ea de causa diuersis rationib⁹ corā Iudicibus Ecclesiasticis & secularibus ventiletur vt supra, patet de iniectione violentèr manuum in clericum, dicunt qd (non obstāte Ecclesi-

Ecclesiastico iudicio) cū Regis ipsum tractat negotium, vt sibi expedire videtur.

*Excommengement 1. cap. 7.*

Item litera Regia Ordinarijs dirigitur, qui aliquos suos subditis excommunicationis vinculo innodarunt, qd eos absoluant infra certum diem: alioquin qd compareant responsi. quare eos excommunicauerunt. ¶ Responsio. Rex decernit, qd talis litera nūquam in posterum exire permittatur, nisi in casu in quo possit inueniri, ledi per excommunicationem regiam libertatem.

*Residence 1. cap. 8.*

Item Barones de Scaccario dñi regis vendicantes sibi ex priuilegio, qd non debent ex illum locū conquerenti cuiusq; respondere extendunt illud priuilegium ad Clericos cōmorantes ibm, vocatos ad ordines, seu ad residentiam, & diocesanis inhi-beant, ne aliquo modo, aliquaue ex causa, dñs sint in scaccario, & in seruitio dñi Regis, trahant ad iudicium quouis modo. ¶ Responsio. Placet dño Regi, vt Cleric' suis obsequijs intendentes, si delinquant p ordinarios (vt ceteri) corrigantur, sed tēpore quo occupantur circa scaccar, ad residentiam in suis faciend' ecclesijs non teneantur. Hic additur de nouo, p consiliū dñi Regis Rex & antecessores sui a tempore cui cōtrarij memor nō existit, vsi sunt, qd clerici suis immorantes obsequijs, dū obsequijs illis intēderint, ad residētiā in suis bñficijs faciend' minimē cōpellātur: nec debet dici tēdere in p̄iudiciū ecclesiasticæ libertatis, qd p rege & repub-

## Articuli Cleri.

republica necessarium inuenitur.

*Distresse 6. cap. 9.*

Item ministri dñi Regis, vt Vic' & alij, ingrediunt feoda Ecclesie ad faciendum distictione, & aliquando capiunt animalia rectorum in via regia, qñdo non habent nisi pertinentem ad Ecclesiam. ¶ Responsio. Placet domino Regi ne de cætero distictiones fiant hñodi, nec in via regia, nec in feodis, quibus olim Ecclesie sunt dotata. Vult tamen distictiones fieri in possessionibus de nouo à personis Ecclesiasticis acquisitis.

*Abiuration 3. cap. 10.*

Item quandoq; aliqui confugientes ad Ecclesiam abiurant terram, secund' regni consuetudin', & psequuntur laici eos, vel inimici eorù, & à publica strata abstrahuntur, & suspenduntur, vel statim de capitant, & dum sint in Ecclesia custodiuntur per armatos infra cimiterium et quandoq; infra Ecclesiam ita arctè, qđ non possint exire locum sacrū causa superflui ponderis deponēdi, nec pmittere eis necessaria ad victus ministrari. ¶ Responsio. Qui terram abiurauerint, dum sint, in strata publica, sint in pace dñi Regis, nec debeant ab aliquo molestari: & dum sint in Ecclesia, custod' eos non debent morari infra cimiterium, nisi necessitas, vel euasionis piculum hoc requirat, nec arctent' confuger, dum sint in Ecclesia, quin possint habere vitæ necessaria: & exire liberè p obsceno ponder' deponēdo.

*Appeales 6. cap. 11.*

Placet etiam dño Regi, vt latrones, vel appella-

pellatores, quecunque voluerint, possint Sacerdotibus sua facinora confiteri: Sed caueant confessores, ne erroneè hñodi appellatores informant.

*Monasteries 3. cap. 12.*

Item petis, quod dñs Rex, & regni Magnates, non onerent domos Religiosas, vel Ecclesiasticas personas pro corodijs, pencionibus, vel perhendinationibus faciend in domibus Religiosis, & alijs locis Ecclesiasticis, carectis & equis sibi mittend, cū p hoc p̄dict domus depauperentur, cultusque diuinus in hac pte diminuat, & ppter hñdi onera compelluntur sepissimè presbiteri, & alij ministri ecclesiastici, diuinis officijs deputat, à locis recedere supradict. ¶ Responso. Placet domino Regi, quod sup contentis in petitione, de cetero indebitè non onerentur. Et si per Magnates, aut alios contra fiat, habeant inde remedium iuxta form Stat tempore dñi Edwardi Regis, patris dñi Regis nunc c̄ditorū. Et fiat consimile remedium de corodijs & pencionibus p cohercionē exactis, de quibus non fit mentio in statutis.

*Excommengement 2. cap. 13.*

Item si aliqui de tenura domini Regis vocantur coram Ordinarijs extra parochiam in qua degunt, si propter suam contumaciam manifestam excommunicentur, ac cum post xl. dies pro eorū captione scribatur, prætendunt se priuilegiatos, qđ extra villam, seu parochiam suam non debent vocari, & sic denegatur breue Regiū pro captione eorundem.

¶ Respon-

## Articuli Cleri.

¶ Responſio. Nunquā fuit negatū, nec negabitur in futurum.

*Abilitie & Nonabilitie 1. cap. 14.*

Item petitur quod personæ ecclesiasticæ, quas dñs Rex ad beneficia præſenter ecclesiastica, si Episcopus eas non admittat, vt puta propter defectum ſcientie, vel aliam cauſam rationabilem non tibeant examinationem Laicarum personarum in casibus antediſtis, prout his temporibus attentatur de facto, contra Canonicas ſanctiões: ſed adeant iudicem ecclesiasticum, ad quem de iure pertinet, pro remedio, put iuſtum fuerit, conſequendo. ¶ Responſio. De idoneitate personæ præſentatæ ad beneficiū ecclesiasticum, pertinet examinatio ad iudicem ecclesiasticum, & ita haſtenus uſitatum, & fiat in futurum.

*Electio 2. cap. 15.*

Item ſi vacet aliqua dignitas, vbi electio eſt faciēda, petitur quod electores liberè poſſint eligere, abſq; incuſſione timoris à quocunq; poeſtate ſeculari: & qđ ceſſant pces & oppreſſiones in hac parte. ¶ Responſio Fiant liberè, iuxta formā ſtatutorū & ordinationum. *Weſtm. 1. cap. 5.*

*Clergie 3. cap. 16.*

Item licet Clericus coram ſeculari Iudice iudicari non debeat, nec aliquid contra ipſum fieri, per quod ad periculum mortis, vel ad mutilationem membrorum valeat peruenire, ſeculares tamen Iudices clericos ad eccleſiam confugientes, & reatus ſuos forte conſitentes, faciunt abiurare Regnum, & eorum

eorum adiurationes admittunt de illa causa, quamquā eorum iudices super his non existant: Sicq; dat laicis indirecte potestas huiusmodi Clericos cruciandi, si ipsos post huiusmodi abiurationem in Regni contigerit inueniri, super quo petunt Prelati & Clerus tale remedium adhiberi, vt immunitas Ecclesiæ, & personarum ecclesiasticarum conseruetur illæsa. ¶ Responso. Clericus ad Ecclesiam confugiens pro feloniam p immunitate ecclesiastica obtinenda, si asserit se esse Cleric, regnū non cōpellatur abiurā, sed legi regni se reddens, gaudebit ecclesiastica libertate, iuxta laudabilē consuetudinē Regni hactenus vsitatam.

*Clergie 4. cap. 17.*

Itē quanquā confessio, coram illo qui non est Iudex, confitentis locum non teneat, nec sufficiat ad satisfaciendū pcessū, vel sententiā pferandā: quidam tamen seculares iudices, clericos qui de foro suo in hac parte non existūt, reatus pprios, & enormes, vt puta furta, roberias, homicidia coram eis confitentes, admittunt accusationē illorū, quam ipsi communiter vocant appellū ipsos sic confitētes & accusantes, seu appellū faciētes non liberāt Prelatis eorum post pmissā, quanquā sup his fuerint sufficiē requisit, licet corā eis etiā p confessionem ppriā iudicari vel condemnari nequeant, absq; violatione Ecclesiasticę libertatis. ¶ Responso. Appellator in form debīt tāquā clerico p ordinariū petito, libertatē ecclesiasticę benefic nō negabitur.

Nos



## Statut Eborac'.

Nos desiderantes statui Ecclesię Anglicanę,  
& tranquillitatı, & quieti Prælatorũ & Cleri  
přdictorum (quatenus de iurę poterimus)  
prouidere ad honorem Dei, & emendationę  
status dictę Ecclesię, & Prælatorum, & Cleri  
přdictorũ, omnes & singulas responsiones  
přdictas, ac omnia & singula in eisdę respon-  
sionibus contętis, ratificātes & approbantes,  
ea p nobis & heredibus nostris concedimus,  
& přcipimus in perpetuum inuiolabiliter  
obseruari: Volentes & concedentes pro no-  
bis & heredibus nostris, quod přdicti Prælati  
& Clerus, & eorum succęssores in perpetuũ  
in přmissis iurisdictionem Ecclesiasticā ex-  
erceant, iuxta tenorem responsionum př-  
dictarũ, absquę occasione Ecclesię inquit-  
tatione, vel impedimento nostri, vel no-  
strorum heredum, seu ministro-  
rum quorumcunque. In  
cuius &c. Teste &c.

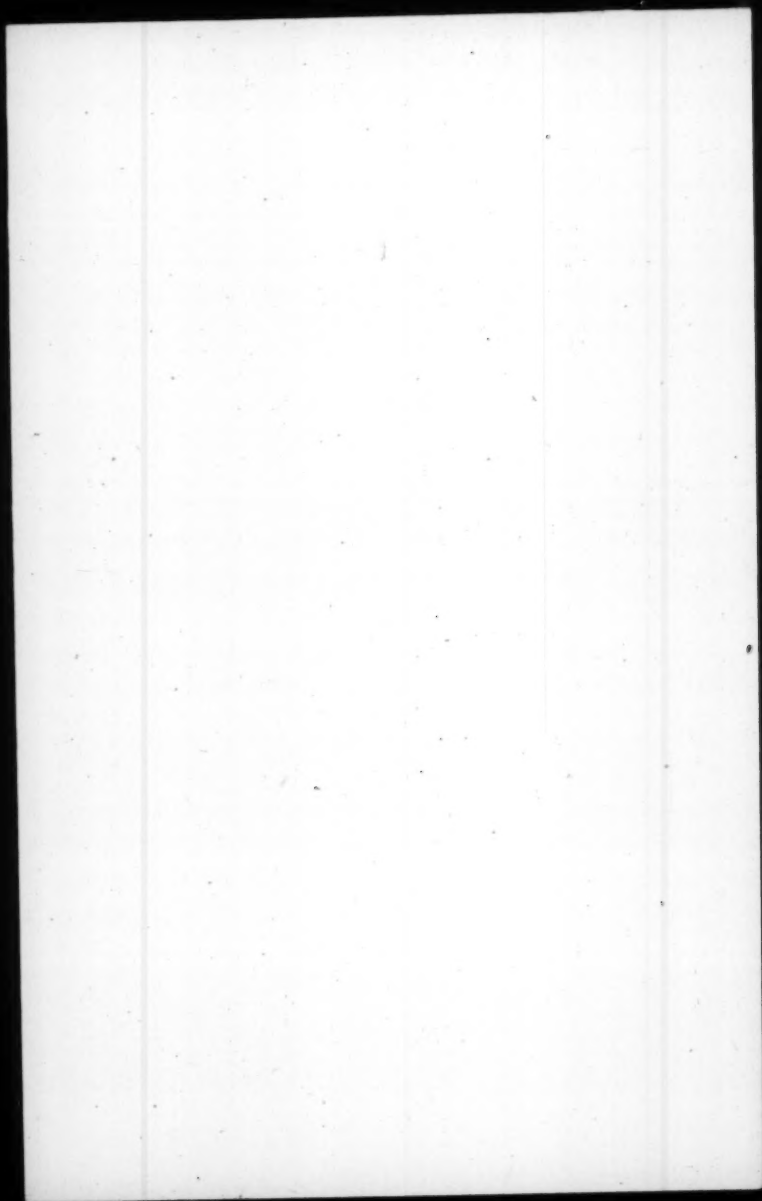
*Explicunt Articuli Cleri,*

¶ Statutum Eborac' xdiſ  
*Anno 12. Ed. 2.*

**P**Er ceo q̄ plusors gentes du Roialme  
Dengleterre, et de la terre Dires  
land, ont auant ceuz heures sonent  
foites, suſſertes mischieſe, damage, &  
disſerisons, per encheſon de ceo q̄ en  
alcun

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ascun case ou default fuit en ley, remede ne fuit ordeigne : & auxint par ceo que ascuns points des estatutes auant faits auoient mestier declarilement : Nostre s<sup>r</sup> le Roy Edward, fils au Roy E. desirant plener d<sup>o</sup>it estre fait a son people, a son parliamēt a **Wierwike**, a trois semaines de **Saint Michel**, lan de son raigne 12. y assent des **B<sup>is</sup>chops**, **Countes**, **Barons**, & le **Comunalte** de son Roialme, illoq<sup>s</sup> assemblees, fist les establissh<sup>ms</sup>, & les estatutes, q<sup>ux</sup> sen<sup>t</sup> suont, les q<sup>ux</sup> il voit q<sup>en</sup> le dit Roialme, & en la dit terre soient firment tenus.

Assise 8. cap. 1.

**Emp<sup>res</sup>imes**, par diuers mischieses quient sont este, de ceo q<sup>en</sup> les tenants en **Assises** de Nouel disseil. ne puissent auant ceuz heurs faire **Attournies**. Accord est, q<sup>en</sup> les tenants en **Assises** de Nouel disseil puissent faire **Attournies**. Et ne entend my le Roy per tant que lez tenants & les delendants en **Assise** de Nouel diss. ne puissent pleder p<sup>er</sup> **baillifes** s<sup>ils</sup> voillent, come auant solent.

Witness 1. cap. 2.

Et ensemblement accord est, q<sup>en</sup> quant charter, quite clais<sup>h</sup>, acquitance, ou autre escript soit dedist en la court le Roy, en queux sont tesmoign<sup>h</sup> no<sup>m</sup>es, soit p<sup>ro</sup>ces fait de faire v<sup>er</sup> les tesmoignes, come auant ad ee v<sup>er</sup>, issint q<sup>en</sup> si nul veigne a la graund distres sur euz retozne, ou retozne soit q<sup>en</sup> ils nont riens, ou ne sont troues : que ad<sup>o</sup>ques ne soit l<sup>es</sup>se le p<sup>ro</sup>se del enquest p<sup>er</sup> abs<sup>en</sup>ce de ceuz tesmoign<sup>h</sup>.

Et si les tesmoignes veignent per le grand  
distresse, & lenquest per aucun encheson, re-  
maine appzndre, soit mesme le iour done a  
ceux tesmoignes qur issint viendront, q est  
done a lenquest pzndre : & q iour si les tes-  
moignes ne viendront, soit le iour issint pzi-  
mes sur eux retournes forfaits, & la pziise del  
enquest ne remait a pzndre par leur ab-  
sence. Et par le absence des tesmoignes, qur  
sont deins franchises, ou bte le roy oziginal  
ne court, ne soit le pziise del enquest leste.

Nisi prius 3.

cap. 3.

Et come il soit conteigne en lestatute fait  
a westminster, le second iour de April, lan  
du raigne le Roy, pier nostre seignior le roy  
que oze est 27. [de Finibus leuatis cap. 4.]  
q les Enquestes & les reconusances deuant  
Justices de inn banke & de louter aludges  
fussent pziises deuant aucun des Justices  
des places, associe a luy un chivaler del cos-  
tie ou les enquestes seront appzndres, si  
les enquestes ne fussent de graunde exa-  
minement, & q en tiels enqst soit fait sicome  
les Justices vieront q soit affaire au pste  
du Roialme, le q il estatute ad mestier destre  
mieur declare. Acors est, q les Enquestes  
& Juries, qur seront ou soient appzndres  
en plez de terre, qur ne sont mye de grande  
examinement, soient pziises en pays deuant  
un Justice del place ou le plez est, associe a  
luy un probe home del pais, chivaler, ou au-  
ter, issint q certaine iour soit done en banke,  
& certain iour & lieu en pays, en pzefecs des  
parties,

parties, si le dñant le pze. Et aury les En-  
questes & Juries en pleé de tere, q demande  
grand examinemēt, soyēt pzeles en pays, en  
la sozn̄ suivoit, denāt deux Justices de bñh.

Nisi prius 4.

cap. 4.

Et ett le Justice, ou les Justices poyar  
de recozder nonsuits & defaults en pays, as  
iours & lieux qur seront assignes, sic̄e des  
lais est dit. Et ceo q ils aueront fait en les  
choies suisdits, soit report en banke au iour  
done, & illonq̄s enrolle, & sur ceo indgement  
rendus. Et nentend my le Roy, q les dits  
Enq̄stes & Juries ne puissent estre pzeles  
en banke sils veignont, ne q cest estatute soy  
extende as grand Plais. Et aury un Ju-  
stice de lun place, ou de laut, associe a luy un  
pzebe home du pays, chivaler ou anter, a la  
request del pl̄ pzeigna les enq̄ts des plēs  
pledges, & a pleder, qur sont moues p attach-  
ment, & distres, & eit poyar de recozder non-  
suits, cōe deslais est dit, & pzeider les enq̄ts  
p defaults illonq̄s faits. Et quant a les Pl-  
uses de Darrein p̄sentment, & les enq̄ts sur  
b̄e de Quare impedit pzeidez, soit fait cōe  
est conteign̄ en le ij. estatute de westminst̄  
cap. 30. Et eyent les Justices poyar a re-  
cozder nonsuits & defaults en pays, & sur ceo  
indgement doñ come en banke, & soit report en  
bank ceo q ils ont faits, & illonq̄s soient en-  
rolle. Et si auerq̄, q le Justice, ou les Ju-  
stices, qur sont, ou front assignes dappze-  
de leur enquestes en pays ne veignont, ou si  
veign̄ en pays au iour assigne iademaies,

## De statuto Eborac'.

les parties & les gents dez enquêtes gardent  
leur leur en banke.

Retournes &c. 3. cap. 5.

Et pur ce que souvent plaints ont esté faits  
en la Court le Roy, que les retoznes queux  
Baillifes des franchises, qui ont pleine  
retourne del bziels le Roy, ont liuies as  
biconts, apres ont esté chaüges, & en autre  
maner retoznes en la court del Roy, a dam  
des ascuns des parties, & en deloyance de  
droiture. Accorde est, que des retournes,  
queux desoz se ferront as biconts per bai  
lifes de tiels franchises, soit fait Indenture  
per enter le baylise del franchise, noime per  
son proper noime, & le bicont noime per son  
proper noime. Et si le bicont change le retozn  
ilint liuere a luy per Indenture, & de ces  
soit attain al suit del seignioz du franchise,  
dont il ad tiel retozne resceiue, si le seignioz  
auec damages encurre, ou la franchise  
soit emblemp, & a le suit del partie qui auera  
damages encurre per cel encheson, soit  
punie deners le Roy come de faux retozne,  
& rend al seignioz & a la partie damages au  
double. Auxint est accorde, que desoz, les  
biē, ou autres bailifes qui resceiuent bēes  
le Roy retozn en la court, mettent leur pro  
per nosmes oue les retoznes, ilint que la  
court puit sauuer a que ils prennent tiels  
retoznes, si mestier soit. Et si aucun bicont  
ou autre bailife en les retoznes enterleu  
son noime, soit il greuousement amerce al  
seps del Roy.

Vitrailles

Vittailles i. cap.6.

Ensemble par common profit du people  
 accorde est, q nul minister en Cite, ne Bo-  
 rough, que per reason de son office doit gard  
 Misses des viners, & des vitailles, entant  
 come il serra attendant a cel office, ne mer-  
 chandizer Vines ne Vittailles en grosse ne  
 a retaille. Et si aucun le face, & de ceo soit at-  
 taint, le merchandise dont il serra attainte  
 soit fozfait au Roy, & la tierce part soit li-  
 nere, come del done le Roy a celui a q suit  
 le trespassoz serra int attaint. Et en tiel  
 case soit resceins celui que bounda suer par  
 tiel chose atteind. Et Chancelloz, Treas-  
 sorer, Barons del Eschequer, Justice de  
 lun banke & de l'autre, & Justices assigne  
 as Misses pzender, relceinent tielz plaints  
 par bziefes, & sans bres, & les terminent,  
 & persacent tous les choses conteigne en  
 cest article en le forme auantdit. Et iades-  
 maines puis le Roy assign les Justices  
 a cel chose persaire en Cites, &  
 Boroughes, quant, & la  
 on luy plerra.

Explicit Statutum Eborac'.



¶ Statutum de Effoin calumniand',  
edit Anno 12. Edw. 1.

*Effoine II. cap. I.*

**H**ic demonstratur quot modis Effoin  
sunt calumniand', & in quibus cali-  
bus effoin non iacet : videlicet, non  
iacet Effoin, quia terra capta est in  
manum dñi Regis. Non iacet effoin,  
quia districtus est p terras. Non iacet effoin,  
quia concessum est hinc iudiciu, si iurata ve-  
niant. Non iacet effoin, quia visus fuit in cu-  
ria. Non iacet de ultra Mare, quia alias se ef-  
soniauit de malo veniendi. Non iacet, quia  
alias se effoniauit tali die. Non iacet, quia  
pceptu fuit Vicecomiti, quod faceret cum  
venire. Non iacet de servitio dñi Regis, quia  
femina, nisi quia nutrix, obstetrix, aut mittat-  
ur per breue ad ventrem inspiciendam. Non  
iacet in breui de Dote, quia videtur decep-  
tio, & prorogatio iuris. Non iacet, quia talis  
querens non inuenit plegios de psequendo.  
Non iacet, quia Attorn fuit effoniatus. Non  
iacet, quia habet Attorn in loquela. Non ia-  
cet, quia effoniator testat, qd' non est in ser-  
uitio domi Regis. Nō iacet, quia sum testificat  
non est, vel pars non attachiat, eo qd' Vice-  
comes mandauit quod non est inuentus.  
Non iacet, quia alias se effoniauit de servitio  
dñi Regis, scilicet, tali die [&] modo non mi-  
sit warrantiam. Non iacet, quia resum fuit in  
ultima presentione, vel morte antecessoria.  
Non iacet, quia talis non nominatur in bñ.  
Non

## Prærogatiua Regis.

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Non iacet, quia præceptum fuit Vicecomi,  
quod distringat eum venire per terras & cat-  
talla. Non iacet, quia mandatū fuit tali Epif-  
copo, quod faceret eum venire. Non iacet,  
quia terminus præterijt. Et sciendum est, qđ  
Essoin' de seruitio domini Regis allocantur  
post magnum Cas, post paruum Cas,  
& post districtiones factas per  
terras & catalla.

## ¶ Prærogatiua Regis, ædit'

Anno 17. Edm. 2.

Wardes 13. cap. 1.

**D**ominus Rex habebit custodiam,  
omnium terrarum eorum qui de ipso  
tenent in Capite per seruitium Mili-  
tare, de quibus ipsi tenentes fuerunt seisciti in  
dominico suo vt de feodo, die quo obierunt,  
de quocunque tenuerint per huiusmodi ser-  
uitium, dum tamen ipsi tenuerint de Rege  
aliquod tēf ab antiquo de Corona, vsque  
ad legitimam ætatem hæredis, exceptis feo-  
dis Archiepiscopi Cantuarien', Episcopi Du-  
nolm inter *Etne & Etse*, feodis Comitaf, &  
Baronum de Marchia, de terris in Marchia  
vbi breuia domini Regis nō currunt, & vnde  
prædicti Archiepiscopus, Episcopus, Com', &  
Baron', habeant hñodi custodiam: licet alibi  
tenuerunt de Rege.

P 4

Wardes

## Prærogatiua Regis.

*Wardes 14. cap. 2.*

Item Rex habebit Maritagium heredi infra ætatem, & in custodia sua existens, siue terrarum heredi eorundem, sint ab antiquo de Corona, siue de eschaetis, quæ sunt in manu dñi Regis, siue habuerint Maritagium ratione custodiæ terrarum dominos eorundem heredum, nullo habito respectu ad prioritatem feoffamenti: licet de alijs tenuerint.

*Primer seisin 1. cap. 3.*

Item Rex habebit primam seisinam post mortem eorum, qui de eo tenent in capite, de omnibus terris & tenentis, de quibus ipsi fuerunt seisiti in dñico suo ut de feodo, cuiuscunque ætatis hæredes ipsos fuerint capiendo omnes exitus eorundem terrarum & tenementorum, donec facta fuerit inquisitio, prout moris est, & capiat homagium huiusmodi hæredum.

*Women 3. cap. 4.*

Item assignabit viduis post mortem virorum suorum, qui de eo tenuerint in capite, dotem suam quæ eis contingit &c. licet hæredes fuerint plenæ ætatis, si viduæ illæ voluerint. Et viduæ illæ ante assignationem dotis suæ prædictæ, siue hæredes plenæ ætatis fuerint, siue infra ætatem, iurabunt quod se non maritabunt sine licentia Regis. Et si se maritauerint sine licentia Regis, tunc Rex capiet in manum suam nomen distributionis, omnes terras & tenementa, quæ de eo tenent in dotem, donec satisfecerint ad voluntatem dñi Regis, ita quod ipsa mulier nihil capiet de exitibus &c. quia [al' quousq;] per huiusmodi

## Prærogatiua Regis. 111

huiusmodi distinctiones huiusmodi mulieres, seu viri earum finem faciât Regi ad voluntatem suam. Et illa voluntas temporis regis Henrici, patris Regis E, estimari consuevit ad valentiam præd dotis p vnum annu ad minus, nisi vberiore gratiam habuerint. Mulieres quæ de Rege tenent in capite aliquam hereditatem, iurabunt similiter (cuiuscunq; fuerint ætatis) qd se non maritabunt sine licentia Regis. Et si fecerint, terræ & tenementa ipsarum eodem modo capiantur in manum dñi regis, quousq; satisfecerint, ad voluntatem domini Regis. [Magna charta cap.7.]

### *Partition 1. cap.5.*

Et si vna hæreditas, quæ de Rege tenetur in capite, discendat pluribus participibus, tunc omnes illi hæredes faciant homagium Regi, & illa hæreditas quæ de Rege tenetur, participabitur inter hæredes illos, ita quilibet eorū extunc partem suam tenebit de Rege.

### *Wardes 15. cap.6.*

Si Mulier ante mortē antecessoris sui qui de Rege tenet in capite, ante annos nobiles maritata fuerit, tunc Rex habebit custodiam corporis illius mulieris vsque ad ætatem, qd consentire possit: & tunc eligat ipsa vtrum maluerit habere virum illum, cui pmaritata fuerit, vel alium, quem Rex ei obtulerit.

### *Alienation without licence 1. & 2. cap.7.*

Nullus qui de Rege tenet in capite p seruitium Militare, potest alienare maiorem partem terrarū suarū, ita qd residuum non sufficiat ad faciendum seruitium suū, sine licentia Regis.

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Regis. Sed hoc non consuevit intelligi de membris & particulis earundem terrarum.

De Serieantijs alienatis sine licentia regis. consuevit Rex arentare huiusmodi serieantias per rationabilem extentam inde faciendam.

*Aduerfon 2. cap. 8.*

De Ecclesijs vacantibus, quarum aduocationes spectant ad regem, et alij presentauerint ad easd., ita qd contentio inter dominũ regem et alios oriat: Si rex per considerationem Curie presentationem suam recuperauerit, licet post lapsum sex mensium a tempore vacationis, nullũ occurrit ei tẽpus, dum tam rex p̃sentauerit infra tẽpus sex m̃sium.

*Fooles 1. cap. 9.*

Rex habebit custodiam terrarum fatuorũ naturalium, capiẽdo exitus eorundam, sine vasto et destructione, et inueniet eis necessaria sua de cuiuscunq; feodo terre illę fuerint. Et post mortẽ eorum reddat eam rectis hæredibus, ita qd nullatenus p̃ eosd. fatuos alienentur, nec qd eorũ hæredẽ exhæredentur.

*Fooles 2. cap. 10.*

Item rex prouidebit, quando aliquis qui prius habuerit memoriam et intellectũ, non fuerit compos mentis suę, sicut quidam sunt p̃ lucida internalla, qd terf et tenta eiusdem saluo custodiantur, sine vasto et destructione et qd ipsi et familia sua de exitibus eorũdem uiuant et sustiniant competenter, et residuum ultra sustentationem eorundem rationabiliter custodiatur, ad opus ipsorum, liberadẽ eisdem quando memoriam recuperauerint,

ita

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ita quā p̄dict' terrę & tēta infra p̄dict' tempus nullatenus alienentur: Nec Rex aliquid de exit' percipiat ad opus suum. Et si obierit in tali statu, tunc illud residuum distribuatur pro anima eiusdem, per consilium Ordinarij.

*Wreche 2. cap. 11.*

Item Rex habebit wreccum Maris p̄ totū Regnum, Balenas, & Sturgiones captos in Mare, vel alibi infra Regnum, exceptis quibusdam privilegiatis locis per Reges.

*Escheat 1. cap. 12.*

Item habebit eschaetas de terris Normannorum, cuiuscunque feodi fuerint, saluo seruitio quod pertinet ad capitales dominos feodi illius. Et hoc similiter intelligendū est, si aliqua hæreditas discendat alicui nato in partibus transmarinis, & cuius antecessores fuerunt ad fidem Regis Franciæ, vt tempore Regis Iohannis, & non ad fidem Regis Anglię: Sicut contingit de Baronia Monumētæ post mortem Iohannis de Monumenta, cuius hæredes fuerint de Britannia, & alibi. De feodis aliorum recuperauit Rex Henricus, plures eschaetas de terris Normannorū occasione prædicta, & eas contulit tenend' de capitalibus dominis feodi p̄ seruitia inde debita & consueta.

*Intrusion 1. cap. 13.*

Quando aliquis, qui de Rege tenet in Capitale in fata decedat, & hæres eius ingrediat' tēn, quod antecessor suus tenuit de Rege die quo obiit antequam fecerit homagium Regi, & seisinam suam ceperit per Regem:  
tunc

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tunc nullum accrescit ei liberum tenement.  
Et si obierit seiscitus p idem tempus, vxor eius  
non habebit dotem de tenemto illo : Sicut  
contingit de Matilda filia Comitis Hereford  
vxoris Manusell' Marescalli, qui post mortem  
Wilhelmi Marescalli Angliæ fratris sui, cepit  
seisinam Castri & manerij de Scrogoill', &  
obiit in eodem Castro, antequam intrasset p  
Regem, & fecisset ei homagium, & vnde con-  
cordatum fuit, qd vxor non haberet dotem,  
eo qd vir suus non intrauit per Regem, vero  
per Intrusionem. Sed hoc non intelligatur  
de [ Eschaetis alias ] Socagio & paruis  
tenuris.

### *Forfeiture. cap. 14:*

Item Rex habebit Eschaetas de terris libe-  
re tenentium Archiepiscoporum, & Episco-  
porum, quando ipsi tenentes damnati sunt p  
felonia facta tempore vacationis, dum tem-  
poralia eorundum fuerint in manu domini  
Regis, conferend' cui voluerit imperpetuum:  
Saluo seruitio qd ad dictos Prælatos inde p-  
tinet & fieri consuevit.

### *Patents 3. cap. 16.*

Quando dominus Rex dat vel concedit a-  
licui manerium vel terram cum pertinentijs,  
nisi faciat in charta sua vel scripto expressam  
mentionem de feodis Militum, aduocationi-  
bus Ecclesiarum, & dotibus cum acciderint,  
ad predict' manerium vel terram pertinent,  
tunc his diebus Rex reseruat sibi eadem feo-  
da, & aduoca, cum dotibus : licet inter alias  
personas non fuerit obseruata.

*Forfeiture 3. cap. 17.*

Item Rex habebit omnia caralla felonum  
 damnatorū & fugitiuorū, vbicunq; fuerint in-  
 uent. Et si ipsi habent liberū tenē, tunc illud sta-  
 tim capietur in manū dñi Regis: Et Rex ha-  
 bebit omnes exitus eiusdē per vnū annum &  
 vnum diem, & tenementū illud vastabitur &  
 destruetur de domibus, boscis, & gardinis, &  
 alijs quibuscunq; ad p̄dictū tenementū spe-  
 ctant, exceptis hominibus quorundam loco-  
 rum priuilegiatorū inde per Regem. Et post-  
 quam dñs Rex habuerit annum, diem, & va-  
 stum, tunc reddatur tenē illud capitali dño fe-  
 odi illius, nisi pri⁹ faciat finem p̄ anno, die, &  
 vasto. De consuef tamen dicitur, quod post  
 annum & diem, terrę & tenementa felonū in  
 Gloc' reddentur & reuertētur p̄ximū h̄redī,  
 cui debuerant discēdere, si feloniam facta non  
 fuisset. Et in Kanc' in Gauekind: (*The fa-  
 ther to the bough, the sonne to the plough*)  
 Ibidem omnes h̄redī masculi participabunt  
 h̄reditatem eorum, & similiter feminæ, sed  
 feminæ non participabunt cum masculis. Et

Mulier habebit post mortem viri medie-

tatem pro dote sua. Et si mulier for-

nicetur in viduitate, perdet

dorem suam, vel si sit

disponsata viro.

*Explicit Prærogatiua Regis.*

¶ Incipit



**¶ Incipit Statutum de Magna Assise**  
iniungendū siue Duello.

**V**ous deues savoir ou grand Assise  
se ioint, & bataille neient, ou bataille se  
ioint, & grand Assise nient, & ou lun  
ne l'auter ne se ioint. Grand Assise se ioint  
& bataille nient, lon vn hōe vend terre a vn  
autr p chartr, & cell purchaser vend cell tētr  
ouster, & nad niēt plus de tētr, & il rende la  
charter dont il est enseoffe, vient le heire le  
pūmer seoffoz & luy empleō, il ne purt my  
la seisin defendere p le corps son frank hōm,  
mes il se purt mettē en Dieu & en la grand  
assise. Bataille se ioint & grand assise nient,  
la ou le bouche est inseoffe, & bouch son  
seoffoz a garē p chēe q̄ il aī de luy, il purra  
dedire la chēe per le corps son franke home,  
& la ne gist pas grand assise, mes bataille.  
Durint grand assise ne se ioint pas entē pa  
rents auāt q̄ ils soiēt passēs le tierce degre  
la ou ils claument p vn ā la discent. Mes  
bataille se ioint enter freres, la ou lun est  
seoffe p charter, & laut clame p discent. Et  
ou lun ne l'auter ne se ioint, niēt la ou le de  
mandant clām a tēn en franke mariage, ou  
frank Burgage, ou en franke socage, ou en  
Gavelkind cōe en Kent, ou en aut mān, cōe  
ā le dōant demande foz la petite chose, come  
vn acre de ēre, ou demy toft, ou croft, dōqz p  
assēt desptiez, ou p agiz dez Justices, ci poi  
ent ilz consēteē en vn Jūē de bonas franks  
hōes & totalr, par esparer le travail & le ser  
uīt de bonez chivalers, & ils ferrōt le serēm  
sans delay dōt ils dirē voier a leur assient.  
[Veies le Vieux natū des bres fol. r.] Anno

**Anno 1. Henrici quinti.**

**Addition 1. cap. 5.**

**I**tem ordonne est & establies, que en chescun brief original des actions personels, appeales, & indietments, & en qur exigens sera agard q auxy nosme des defendäts en tiels briefes originals, appeals, & indietments soient faits addition de leur estate, ou degre, ou de mysteris, & les villes ou hñlets, lient, & les counties de qur ils fueront ou sont, ou en qur ils sont ou fuerēt conuersantes. Et si per proces sur les dits bñes originals, appeales, ou indietments, en qur les dits Additions soient enterleues alicñs vtiagaries soient prononcies, que ils soient voides, irrites, & tenus pur nul. Et q auant les vtiagaries prononcies les dits bñes & indietments soient abatus per exceptiō du pty, per la ou en icell les dits additions soient enterleues.

2. Pur ce q tous foits, que mesq les ditz briefes dactions personels ne soient accor-dants as recozdes, & faits p le surplusage de additions suisdites, q pur cel cause ils ne soient abatus. Et q les Clerkes del Chancellarie, south q nosmes tiels bñes issiront escriptes, ne enterleuent ne facent omission des dits additions, com' desuis est dit, sur peine destre punis, & faire fine al Roy p discrecion de le Chancelloz. Et commencera cest ordonnance a tener lieu al suit de ptie, de la feast de saint Michael pcheine ensuant.

**Anno**

Anno 8.H.6.

Forcible entrie 3. chap. 9.

**I**tem come per le noble Roy Richard nadgaires Roy Dengleterre, puis le conquest second, a son Parliamt tenu a Westmister lendemain des Plures, lan de son raigne 15. cap. 2. enter autres choses ordeines soit & establies, que les estatutes & ordinaunces faits & nient re- pelles de ceux q sont entries oue soit main & armes en ascuns terres, tenements, ou autres possessions quicunque, & leur teig- nent eins oue force & armes, & de ceux que font insurrections, riots, routes, chican- ches, & assemblees en disturbance de la peace noste srr le Roy, ou de la common Ley, en attray de son people, serroiet tenus & pleins- ment & duement executes.

2 Et ouster ces ordeigne est p mesm lesta- tute, que tous les foits que tiels forcibles entries soient faits, & pleint ent beigh au Justices du peace, ou ascu deux, q mesmes lez Justices ou Justice preignent ou preigh popar del Countie, & voient ou voise al lieu ou tiel force soit fait.

3 Et s'ils trouvent, ou trone ascuns teig- nantes tiel lieu forciblement apres tiel entie fait, soient prises & mises en pzochein gaol, & p demurrer connote de recozt de mesmes les Justices ou Justice, tans ils eient fait fine & ransome au Roy.

4 Et q tous gentes de Countie, cibien Viscounts come autres, soient entendantes

as dits Justices, & de eux enfozrer & arre-  
ster tiels malefactozs sur poine d'emprison-  
ment, & de faire fine & ransome au roy.

5 Et si en m le mafi soit fait de cent q fct  
foztibles entres en benefices ou offices de  
saint Eglise, cōe en m lestatute & contsine  
plus au pleine.

6 Et p tant q le dit estatute nertend mpe  
as entres en tenements en peaceable mafi &  
aps ten one foze.

7 Ne, si les psons q entreint one foze, en  
alchz tres ou tenements, soit de tout temos  
nes & voides devant le venne de dits Justis  
ces ou Justiz come devant.

8 Ne, nul peiss ordein, si le viscount ne o  
bey mpe les cōmandements & pzepts des  
dits Justiz pur execut lozdinance suivit.

9 Plusours extorcementes & foztibles en-  
tres sonts faits de iour en auter, en terres  
& tenements, p ceux que droit nont.

10 Et auxy dits dones, seoffments, & dis-  
continuances alz foits faits as lhrs & autz  
psoz puillants & extorciofis deinz ls ditz  
contiez, ou ils sont conslats, par mainte-  
nance auoir, & alz foits as tiels psoz tpy ori-  
lres, discōnus a tiel entet, pur delayer & de-  
frauder tiels droiturelz possesseurs de leur  
dit & reconeres a tous iours, a final dispe-  
nse de plusours des mesms foialz lieges nre  
seignour le roy, & semblabl est dencresser de  
iour en auter, si due remedy ne soit paruecho  
en cel party.

11 Nostre Seignour la Roy considerant



les

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les p<sup>re</sup>mises, ad ordeine q<sup>u</sup> le dit estatute & tous autres estatutes de tiels entres ou alienations devant faits, soient tenus & duement executes.

12 Adoustant a icelles, que desore en anant, si aucun face tiel forcible entree en terres, tenements, ou autres possessions, ou euz teigne forcibleme<sup>nt</sup> apres compleint ent fait deins mesm le county lon tiel entry soit fait as Justices du peace, ou a un deux p la perty griene, que les Justices ou Justice ensy garnie, deins temps convenable facent ou face duement executer le dit estatutes, & ceo as costages de la partie ensy greue.

13 Et ouster ceo, comēt q<sup>u</sup> tiels persons faisants tiels entres, soient p<sup>re</sup>sentes ou holds devant le venue des ditz Justices ou Justice, maintenant mesmes les Justices, ou Justice, en aucun bone ville, pl<sup>us</sup> p<sup>re</sup>cheins as tenements ensi entres, ou en aucun lieu convenable, solongz leur discretion, eyent, & chescun deux eyt anthozity & popar denquiter p les gentes de mesme le County, auxi biē de ceux q<sup>u</sup> font tiels forcibles entres en terres & tenements, come de ceux que ent teignent oue force.

14 Et si troue soit devant aucun de euz, que aucun face le contrary de cest estatute, adōq<sup>s</sup> les dit Justices ou Justice, facent ou face releiser les frez ou tenem<sup>ts</sup> ensi entres, ou tenus come devāt, & mettre la p<sup>ar</sup>tie ensi ouste en pleins poss. de m<sup>es</sup>m les terres ou tenem<sup>ts</sup> come devant entres ou tenus.

15 Et si aſt perſon aſs tiel entrie en terres ou tenemens ten<sup>r</sup> oue ſoyce, ſace ſcoſſemēt, ou aut diſcontinuanſe, al aſcū ſſir ou auter perſon p<sup>r</sup> maintenance auoir, ou par toller & defrauder le poſſelloz de ſon recoūp en aſt maſh, ſi aſs, ne aſſiſe ou aut ac<sup>t</sup> ent eſtre priſe ou p<sup>r</sup>ue deuāt Juſtices des Aſſiſes, ou auts Juſtices du roy quicunq<sup>s</sup> per due enq<sup>r</sup>er ent app<sup>r</sup>ēdz, parra dueſt eſt<sup>r</sup> p<sup>r</sup>oue, m<sup>s</sup> les ſcoſſemēts & diſcontinuanſes eſt<sup>r</sup> ſaits p<sup>r</sup> maintenance, cōe deſuis eſt dit, q<sup>d</sup> adonq<sup>s</sup> tielx ſcoſſemēts, ou auts diſcontinuanſes enſi cōe deuant ſaits, ſoiēt voides, ſrites, & tenus p<sup>r</sup> nul.

16 Et auxy q<sup>nt</sup> le ditz Juſtices ou Juſtice ſerront tielx enq<sup>r</sup>es cōe deuant, ſacent ou ſace lour garrants & p<sup>r</sup>cepts, directes as ſſir de m<sup>r</sup> le countie, luy commandant deper le Roy de faire venir deuant euz, & cheſcun deux, perſons ſufficiants & indiſſerentes puis p<sup>r</sup>ocheine demurrants enter les tenemēts enſi entres, cōe deuant, deſq<sup>r</sup>er de tielx entries.

17 Dont cheſt q<sup>d</sup> ſerē empaneil<sup>l</sup> deſq<sup>r</sup>er en celle partie, eit terē ou teſt d<sup>nn</sup>el valne de xl. s. p<sup>r</sup> an au meſmes, ouſt les rep<sup>r</sup>ſes.

18 Et q<sup>d</sup> le diſcont retozn iſſue ſur cheſcū deux a tour de p<sup>r</sup>imer p<sup>r</sup>cept retoznable xl. s. & al ſecond tour xl. s. & al tierce fois C. s. & a cheſcun tour aſs le double. Et ſi aſcū ſſir ou Baillife deins franchise eiant retozne de bziele du roy, ſoit lache, & ne ſace dueſment exē des ditz p<sup>r</sup>cepts a luy directes

## Forcible Entre.

puſt tiels endres faire, q̄ il ſoyſſet deners le roy 10.l. ſ chesſt defalt, & ouſſt face ſine & ranſome au Roy.

19 Et q̄ auſibien les Juſtices ou Juſt. auantdits, come les Juſtices des aſſiſes a lour benen en pays, ſ aſſiſes ſunder, etent, & chesſt de eux eit, poiar doier & terminer tiels defauts & negligences des dits Viconts & baillifs, & chesſt deus, auſibien p̄ bill al ſuite del party greue, ſ luy meſme, come ſ le roy a ſuer, come per inditement appprend ſ le roy ſolement.

20 Et ſi le Vic̄ ou baillif ſoit dñement attainct en cel party per lenditement, on p̄ bill, q̄ celui q̄ ſue ſ luy & ſ le roy, eit un moitie del ſoyſeiture de 10.l. enſembleſit oue ſon coſtages & expences.

21 Et q̄ m̄ le p̄oces fait d̄s tiels endites ou ſues p̄ bil in cel p̄ty, ſicōe ſront d̄s endites ou ſues p̄ b̄s d̄ Tr̄is oue ſozes & armes encont̄ la peace de n̄re ſir le roy.

22 Et ouſter l̄, ſi aſt p̄ſon ſoit ouſte ou diſſeiſie de alch̄s terres ou tenements oue ſoyſible maner, ou ouſte peaceablement, & ap̄es ten<sup>r</sup> dehoys oue ſoyt maine & armes, enconter la Juſtice ou peace, en ap̄es tid entre aſt man̄ ent ſoit fait par defrandet & ſoller le d̄t del poſſeſſor, q̄ la p̄ty greue en celle p̄ty etet aſſiſe de Nouel diſſeiſin, ou b̄s de Tr̄is d̄s tiel diſſeiſor.

23 Et ſi le party greue recoſt per aſſiſe, ou per action de Tr̄is, & trome ſoit p̄ d̄it ou en auter maner per due ſozme de ley, q̄

Forcible Entre. Shirifes. 117

la party defendant entē oue force en tres & tenements, ou euz per force apres son entree tiendz, que le p<sup>r</sup> recoñra ses dāms au treble, vers le defendant.

24 Et ouster ceo, q̄ il face fine & ransome au Roy.

25 Et q̄ Mayors, Justices, ou Justices de peace, Viscounts, & Bailifes de Citiees, & Bozoughes, eyants franchise, eiant en les dits citiees, villes & bozoughs au tiel popar de tiels entrees ouster, & en auters articles deuis dits emergentes deins icelles, come ont les Justices de peace & Viscounts en counties & pays subdits.

26 Parmiens toutes foits, q̄ ceux que gardent per force leur possessions en ascuns terres ou tenements dont ilz ou leur auncesloz, ou ceux queux estate ilz ont en tiels terres & tenements ont continues leur possessions en icelles, per trois ans ou plus, ne loyent mye endā p force de cell estatute.

Anno 23. Hen 6.

Shirifes 4. cap. 10.

Item le Roy considerant les grandes perinrie, extorcion, & oppzession, qur sont & ont este en cest Roialme per ses Viscounts, Iouth Viscounts, & leur Clerkes, Cozoners, Beneschals des franchises, baillifes, & gardeins des prisons, & auts offis en diuerses Counties de cest Roialme.



## Shirifes.

2 Ad ordeine per l'anthozitie fuisbit en  
eschewing de tous tiels excozions, piurie,  
e oppzeffion, q̄ nul Viscont leste a ferme en  
alcū man son Countie, ne aucun de ses bays  
lpswikes, hundzeds, ne swapetakes, ne q̄ les  
bits Visconts, south visc, bailifes des fraun-  
chises, ne aucun auter bailifes retourne sur  
aſt bſe ou pcept a eux direct de retourne, als  
cuns Enquests, en alcū panel sur ceo destre  
fait, alcū bailifes, officers, ou seruants, a  
alcū de les officers fuisbits, en alcū panel p  
eux issint a faire, ne q̄ nul ds officers a mi-  
nistres p occasion, ou sous colour de leur  
office, signe aſt aut chose, p eux ne per alcū  
auter pson a leur vſe, pſt, ou auant, d'alcū pson  
p eux, ou aucun deux destre arrestus, ou atta-  
ches, ne de nul aut p eux, par la lesser d'alcū  
arrest ou attachant destre faitz p leur corps,  
ou alcū person per eux, ou alcū deux, p force  
ou colour de leur office arrestus ou attaches  
pur fine, for, seſwet del pſon, mainprise, les-  
sance a baile, ou monſtrance alcū ease ou fa-  
mour a aſt tiel person issint arrestus ou ar-  
restet pur leur regarde, ou pzoſite, sinon tiel  
come ensuit, cest assauoir, pur le viscont xx s.  
le bayliffe q̄ face l'arrest ou attachment iiij. s.  
e le gaoler si le pſoner soit commis a la  
garde iiij. s.

3 Et q̄ le Viscont, south viscont, clerke  
de visc, seneschall, ou bailife de fraunchise,  
seruant au bailife, ne Coroner, pzeigne per  
colour de son office per luy, ne per aucun au-  
ter person a son vſe, d'aucun person pur le  
lealour

fealour dascun retourri ou panel aſſe chole,  
e par le copie dun panel iij. d.

4 Et que les dits Wiscounts, e tous  
autres officers e ministers auantdits, lesſe-  
ront hozs de pzison, tous maners des per-  
sons per euz, ou ascun deux arrestes, ou  
esteants en leur garde per force dascun bſe,  
bill, ou garrant, en ascuns actions personels,  
ou per cause de bndictment de trespas, sur  
reasonable ſuertie de ſufficientes persons,  
opants ſufficientes deins les counties ou ti-  
els pſons sont issint lesſes a baile ou main-  
prie, de garder leur iours, en tiel lieu,  
come les dits bzieſes, bills, ou garrants re-  
quirent: tiel person ou persons que sont ou  
seront en leur garde per condemnation,  
execution, Capias vlagatum ſiue excom-  
municatum, ſuertie de la peace, e toutes  
tiel persons que sont ou seront commis a  
gard, e per especial commandment dascun  
Justice, e bagarants refusants de ſervire,  
selong la fourme de leſtatute de Labourers  
tantſolement except.

5 Et q nul Wiscount, ne nul de les offi-  
cers ou ministers ſuiſdit, pzeigne, ou face de  
prendre, ou faire, ascun obligation pur as-  
cun cause ſuiſdits, ou colour de leur office,  
ſinon tantſolement a leur meſmes, dascun per-  
son, ne per ascun person, q soit en leur gard,  
per le cours de la ley, ſeſes sur le noime de  
leur office, e sur condition eſcrite, q les dits  
pſoners appergeront a le iour contenu  
en les dits bzieſes, bills, ou garrant, e en  
tiel

## Shirifes.

tiels lieux ou les dits brieves, bills, ou gars  
requièrent.

6 Et si aſt de s ditz viſcounts, ou autres  
officers, ou miniſters ſuiſdits, pzeigne aſcū  
obligation en auter ſozme, p colour de leur  
offices, q il ſoit void. Et q il ne pzeign plus  
par le feaſans daſcun tiel obligat, garrant,  
ou pcept p eux deſtre fait ſozles itē d.

7 Et aurint q cheſt de les ditz viſcounts  
face annuellement un deputie en les Courts  
du Roy de la Chaucerie, le Banke, & Reſ-  
chequer, de recozd, devant que ils reioignent  
aſcū bres, de reſceiuer tous maners des  
bres & garrants a eux deſte deliueres.

8 Et q tous viſcounts, ſonthe viſcounts,  
clerkes, Baillives, Gaolers, cozoners, ſeneſ-  
chals, baillives des franchiſes, ou aſcun au-  
ters officers ou miniſters qux ſont le con-  
trarie de ceſt ozdinance en aſt point dicell,  
perdes al pty en icell endam on greue, les  
trebles paſſes, & ſozfaſſet la ſomme de xl. l.  
a cheſcun temps q eux, ou aſcun de eux ſont  
le contrarie dicell, en aſcū point dicell; dont  
le Roy daver lun moitie, ces deſte employes  
al uſe de ſon hoſteit, & en nul auter maner, &  
la partie q ceo voitt ſuer l'auter moitie.

9 Et q les Juſtices des aſſiſes en leur  
Seſſions, Juſtice de lun bank & de l'autre,  
& Juſtice de peace en leur pais, eyant poiat  
denquiere, oper & terminer del office ſans  
eſpecial commiſſion, de & ſur tous pcent q  
feront le contrarie de ceſtes ozdinances en  
aſcun article ou point dycel.

10 Et si les dits Viscountz retournent  
sur ascū person Cēpi corpus, ou Reddidit se,  
q̄ ilz soient chargeables d'auer les corps des  
dits persons a les iours des retournes des  
dits bñs, bñs, ou garrants, en tel fourme  
come ils fuerent deuāt la fealsans de ceo act.

11 Pourueu toute fois q̄ per cest pre-  
sent ordinañce le Gardeine del gaole du Roy  
de France, & del Paleis du Roy a Westmin-  
ster, pur le temps estant, ne soit endan-  
mage ne p̄iudice en son dueitie de son office.  
Et auxint q̄ cest ordinañce commence ad  
feast de Pasche, q̄ serē en lan nostre Reig-  
niz 1446.

*Anno 4. Hen. 7.*

Fines 8. cap. 4.

**I**tem where it was ordeined in the time  
of King Edward the first, by the statute  
de Finibus, that notes and fines to be le-  
nied in the kings court afoze his Iustices,  
should be openly and solempnly read. And  
that pleas in the meane time should cease;  
And this to bee done by two dayes in the  
weeke, after the discretion of the Iustices,  
as in the said statute moze plainly appea-  
reth. Vide Stat de Finibus leuatis 27. E. 1.  
Fines 1. before, an 34. E. 3. cap. 6. Fines 4.

2 The R. our soueraigne Lord, consi-  
dereth that fines ought to be of the greatest  
strength to auide strifes and debates, and  
to the small end and conclusion, and of such  
effect

## Fines.

Quant vn fine  
sera dit de la  
engrosse, vide  
Nat. bf. 147. a.

effect were taken, afoze a statute made of  
Non claime, and now is bled the contra-  
rie, to the vniuersall trouble of the Kings  
Subiects: Will therfore it be ordeyned,  
by the aduice of the Lordys Spirituall and  
Tempozal, & the Cōmons in the said Par-  
liament assembled, and by authoritie of the  
same, That after the ingrossing of euerie  
Fine to be leuied after the feast of Easter,  
thrt shall be in the yeaer of our Lord 1490.  
in the Kings court, afoze his Justices of  
the Common pleas, of any lands, tenemētys,  
oz any other hereditaments, the same fine  
be openly & solemnly read and proclaimed  
in the same Court the same Terme, and in  
thre Termes then next following the same  
ingrossing in the same Court, at foure seue-  
rall daies in euery Terme. And in þe same  
time that it is so read and proclaimed, all  
pleys to cease.

3 And the said proclamations so had and  
made, the fine to be finall end, and conclude  
aswell priues as estraungers to the same,  
except women couert, other then bin parties  
to the said fine, and euery person then being  
within age of xxj yeaers, in prison, oz out of  
this realm, oz not of whole mind at the time  
of the said Fine leuied, nor parties to such  
Fine.

4 And sauing to euery person oz persons  
& to their heirs, other thē the parties in the  
said fine, such right, claim, & interest, as they  
haue to oz in þe said lands, tenemētys, oz other  
heredi-

hereditaments, time of such fine ingrossed.

5 So that they pursue their title, claime or interest, by way of action, or lawfull enstrie, within five yeares next after the said proclamation had and made.

6 And also saving to all other persons such action, right, title, claime, & interest, in or to the said lands, tenements, or other hereditaments, as first shal grow, remain, or come to them after the said fine ingrossed, & proclamation made, by force of any gift in the talle, or by any other cause or matter, had & made befoze the said fine leuied, so that they take their action, or pursue their said right & title, according to the law, within five yerres next after such action, right, claime, title, or interest to them accrued, disceded, fallen or come: & that the said persons & their heires may haue their said action against the person or the profits of the said lands & tenements, and other hereditaments time of the said action to be taken: & if the same persons at the time of such action, right, and title accrued, disceded, remained, or come vnto them, be conert baron, or within age, in prison, or out of this lād, or not of whole mind:

7 That then it is ordeyned by h<sup>e</sup> said authority, that their action, right, and title to be reserved & saved to the & to their heires, vnto the time they come and be at their full age of xxj. yeares, out of prison, within this land, vnconert, and of whole minde, so that they or their heyres take their said action, or  
their

## Fines.

their lawfull entrie, according to their right & title, within five yeares next after þ they come and be at their full age, out of prison, within this land, vnconert, and of whole mind, and the same actions pursue, or other lawfull entrie take, according to the law.

8 And also it is ordeined by the authoritie aforesaid, that all such persons as be conert be baron not partie to the fine, & every person being within age of xxi. yerres, in prison, or out of this land, or not of whole minde at time of the said fines leuied and ingrossed, and by this said act afoze except, hauing any right or title, or cause of action, to any of the said lands, & other hereditaments, that they or their heires, inheritable to the same, take their said actions, or lawfull entrie, according to their right & title, within five yerres next after they come & be of the age of xxi. yerres, out of prison, vnconert, within this land, & of whole mind, and the same actions sue, or their lawfull entrie take and pursue, according to the law.

9 And if they doe, & take not their actions and enter as is aforesaid, that they & every of them & their heires, & the heires of every of them be concluded by the same fines for ever, in like sort as they bin that bin parties or parties to the said fines.

10 Having to every person or persons, not party nor partie to the said fine, their exception to avoid the same fine by that, that those that were parties to the fine, nor any of them,

them, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in the lands or tenements comprised in the said fine, at the time of the said fine leuied.

11 And it is ordeined by the said authoritey, that enery fine that hereafter shalbe leuied in any of the It. courts, of any mannozs, lands, tenements, & other possessions, after the maner, vse, & forme that fines haue bin leuied afore the making of this act, be of like force, effect, & authoritey, as fines so leuied, be or were afore the making of this act: this act or any other act in the said parliament made or to be made notwithstanding.

12 And every person be at his libertie, to leuie any fine hereafter, after his pleasure, whether he will, after the forme contained and ordeined in and by this act, or after the maner and forme aforetime vsed.

### Women 3.

Anno 11. H. 7. cap. 20. Discontinuance  
of right or estate.

(a. l. 3. 51.)

**F**or certaine reasonable considerations bee it ordeined, enacted, and established by the king our soueraigne lord, and by the assent of the Lords spirituall & temporall, and the commons in this present parliament assembled, and by authoritey of the same, that if any woman which hath had, or hereafter shall haue any estate in dower, or for terme of life, or in taile iointly with her hus-



## Women.

Lit. Garf  
sect 36.

husband, or onely to her selfe, or to her vse, in any manors, lands, tenements, or other hereditaments, of the inheritance or purchase of her husband, or giue to the said husband and wife in taile, or for terme of life, by any of the ancestoꝝ of the said husband, or by any other person seised to the vse of the said husband, or of his ancestoꝝ, and haue, or shall hereafter being sole, or with any other after taken husband, discontinued, or discontinued, aliened, released, or confirmed, alien, release, or confirme with warrantie, or by couin suffered, or suffer any recovery of the same, against the, or any of them, or any other seised to their vse, or to the vse of either of them, after the foꝛme afoꝛesaid, that all such recoveries, discontinuances, alienations, releases, confirmations, & warranties so had and made, & from hencefoꝛth to be had and made, be utterly void and of none effect.

(a. l. 9. 59)

(a. l. 3. 61. l. 62.)

2 And that it shall bee lawfull to euery person & persons, to whom the interest, title, or inheritance after the decease of the said women, of the said manors, lands, and tenements, or other hereditaments, being discontinued, aliened, or suffered to be recovered, after the first day of December next coming, in the foꝛme afoꝛesaid should appertain, to enter into all and euery of the premises, & peaceably to possesse and enioy the same, in such maner and foꝛme, as he or they should haue done, if no such discontinuance, warranty, nor recovery had bin had nor made.

3 And

3 And ouer this be it ordained & enacted by the said authoritie, that if any of the said husbands and women, or any other seised, or that shal bee seised to the vse of them, of the estate afoze specified, after the said first day of December, do make, or cause to bee made, or suffer any such discontinuance, alienations, warranties, or recoveries, in forme aforesaid, that then it shall be lawfull to the person or persons, to whom the said tenements should or ought to belong after the decease of the said woman, to enter into the same, and them to possesse and enjoy, according to such title & interest, as they should haue had in the same, if the same woman had bin dead, no discontinuance, warranty, nor recovery had, as against the said husband during his life, if the said discontinuance, alienation, warranties, and recoveries, be hereafter had, by or against the same husbands and women during the conecture and espousels betwixt them.

4 Provided alway, that the said women, after the decease of the said husbands, may reenter into the maners, lands, and tenements, and them to enjoy according to their first estate in the same. And ouer this be it ordained and enacted by the said authoritie, that if the said woman at the time of such discontinuance, alienations, recoveries, warranties, after the said first day of December, in forme aforesaid to be had & made of any of the premises be sole, that then she shall

## Women.

Shal be barred and excluded of her title and interest in the same from thenceforth, & that the person and persons to whom the title, interest, & possession of the same should belong after the decease of h<sup>e</sup> said woman, shall immediately after the said discontinuance, alienations, warranties, and recoveries, enter into the same manors, lands, tenements, and other hereditaments, & them to possess and enjoy, according to his or their title in the same.

5 Provided also that this act extend not to annule any recovery, discontinuance, or warranty, after the forme aforesaid, afore this time had, made, or suffered, but onely where the said husband & woman, or either of them now being alive, or any other to their use, now have interest and title to the said manors, lands, tenements, or other hereditaments, aliened, discontinued, or suffered to be recovered, after the forme aforesaid, & thereof now taking the issues and profits, or any other person or persons to their use.

6 Provided also, that this act extend not to any such recovery or discontinuance to be had with the heires next inheritable to the said woman, or where he or they that next after the death of the same woman should have estate of inheritance in h<sup>e</sup> same manors, lands, or tenements, bee assenting or agreeable to the said recoveries, where the same assent and agreement be of record or intolled.

## ACTIONS populer. 123

7 Provided also, that it shal be lawful to  
enueie such woman being sole, or married,  
after the death of her first husband, to give,  
sell, or make discontinuance of any such  
lands for terme of her life onely, after the  
course and vse of the common Law befoze  
the making of this present act.

## ACTIONS populer.

An act concerning Actions populer, and  
Statutes penall. Anno 7. H. 8 cap. 3.

### ACTIONS populer 3.

**W**heras diuers and many penal sta-  
tutes & ordinances haue bene made  
and ordained, some wherby the pun-  
ishments giuen only to the King our so-  
ueraigne Lord, his heires & successors, by  
action, writ, bill, indictment, or information,  
and some wherby the King by himselfe, or  
any other common person for the K. or for  
himselfe onely, may sue by writ, bill, indit-  
ment, or information against the offenders  
in that behalfe: And because of long tract of  
time, and for sparing of the suit the reof, and  
that the after such long tract of time, diuers  
and many of the kings true subiects haue  
ben in time passed vexed and troubled for  
the penalties contained in the said statutes  
& ordinances, moze for malice then for In-  
justice, whereupon petiurles haue ensued, to  
the great trouble and vexation of the kings  
true

## ACTIONS popular.

true subiects, their heires and executors, being ignorant of the said statutes & offices: wherfore, and for the tender love and zeale that our soueraigne Lord the king beareth to his said loving Subiects, and at their humble desire,

2 We it enacted, ordeined, & established by his highnes, & by the assent of the Lords spirituall & tempozall, and the commons in this present parliament assembled, and by the authoritie of the same, that all and singular such actions, suits, bills, inditments, or informations, as from the xx. day of the moneth of November, the xij. yeare of our said soueraigne Lords raigne shall be commenced, taken, sued, had, or made, onely for any debt, moveable goods, or cattels, forfeited and lost, or to bee forfeited or lost, wherupon the king only, his heires or successors, and none other common person shall or may be intituled by reason of the said penall statutes, or any of them, shall be commenced, sued, taken, or had within foure yerres next after the offence or offences, forfeiture or forfeitures, of, or for the same, had or made against the ordinance & provision of any such act or actes, statute or statutes penall, & not after the said foure yerres.

3 And that for any offence or forfeiture made or had, or to bee made or had against the ordinance and provision of any act or actes penall, made & ordeined, or to bee made and ordeined, whereby, action, suite, bill,

or

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or information populer, is or shalbe giue to any person or persons, such as will sue for the king & for him or themselves, or only for him or themselves, that such action, bill, suit, or information be commenced, sued, had, & made by such person or persons, other then the ~~it~~. as will sue in that behalfe, within one yere next after the offence or forfeiture, had, made, or committed against the ordinance & provision of any such act or acts penal, and not after the said yere ended.

4 And that the kings suit by writ, bill, plaint, indictment, or information on that behalfe be commenced, sued, had, or made, within two yeres next after the offence or forfeiture made or had against the provision and ordinance of any act or acts, statute or statutes penall, & not after the said two yeres.

5 And if any action, suit, bill, indictment, or information, concerning the foresaid statutes or any of them be had, or made, otherwise then within the time or times limited, as is aforesaid, that the same action, suit, bill, indictment, & information, & every of them commenced, sued, had, or made, for the said offence or offences, forfeiture or forfeitures, shal be void & of no force ne effect: any act or acts, statute or statutes made to the contrary notwithstanding.

6 Provided alway that where any action, information, or indictment, is limited by any statute to be had, made, or take within

## Recoveries.

Shorter time or times, then (as is afoze rehearsed) that it be had, made, and taken, according to the time limited in that estatut.

## Recoveries.

An act concerning Aduowries for Rents and seruices. Anno 7.H.8.cap 4.

### Recoveries.

**V**heras diuers, as wel nobleme as other the R. subjects, haue suffered recoveries against them of diuers their manors, lordships, lands, & tenemēts, for the performāce of their wills, or for the suretie of their wiues iointures, or for the iointure of sonnes & heires apparant & their wiues, or for any other person or persons, according to their covenants & agrēments, and those persons that so haue recovered the said manors by the course of the common law, had no remedie, nor may haue, to compell the sermoz, freholders, and tenants, which held of the same manors, by the rents, seruices, or customes, to attourne to them, nor could by the order of the Law attaine to the rents, seruices, or customes, (if they were denied) by distress, or action, without they could once attaine to the possession of the same rents, seruices, and customes, by paying or doing the said rents, seruices, or customes, by the same freholders, sermoz, & tenants, which to do, diuers  
and

and many of them have oftentimes refused  
 & yet do, to the great offence & charge of their  
 conscience, not onely to the disheritance of  
 the said recoverers, but also in breaking of  
 the last wills of them against whom such re-  
 coverie is had: and also to the disheritance  
 of the said husband, wifes, & other to whose  
 use the same recoverie was so had.

2 Also if there were any aduowson appē-  
 dant to any of the said manors, the same ad-  
 uowson had fallen void, and a stranger had  
 presented, the said Recoverers, nor they to  
 whose use & same recoveries were had, had  
 no remedy for the same disturbance, & some-  
 time thereby they have bene disinherited.

3 Be it therefore enacted by this present  
 parliament, & by the authoritie of the same,  
 that the Recoverers in all such recoveries,  
 their heires, & all assignes, may from hence-  
 forth distreine for the foresaid rents, serui-  
 ces, & customes, so being due & unpaid, and  
 make aduowzie, or iustifie the same, as those  
 persons against whom the said recoverie is,  
 should have done, if the said Recoverie had  
 not been had, & also have like remedy for the  
 recovering of the said rents, services, and  
 customes, by aduowzie, and also Quare imp  
 for the said aduowson, if any disturbance be  
 made, as those persons, against whom the  
 said recoveries were had, might, or should  
 have had, by the course of the common Law  
 before & said recovery, if any such rents, ser-  
 vices, or customes had been denied them, or



## Affise.

any such disturbance had bene had in their times.

4 And also that every auowant, & every other person or persons that maketh auowrie, conuſance, or knowledge, or iustiſic: as bailie to any other person or persons in any Repleg' or second deliuerance, for any rent, custome, or seruice, if their auowrie, conuſance, or iustification be found for them, or the plaintifes in the said actions otherwile barred, shall recover their Damages and costs that they haue sustained, as the plaintife should haue done, if they had recovered in the said Repleuing. See after Anno 21. H.8. cap. 19. Auowrie 1.

## Affise.

An Act concerning abridgements of plaints in Affise, Anno 21. H.8. cap. 3.

### Affise 9.

**F**Orasmuch as Affises which haue ben thought the most speedy remedy, be now by occasion of pleading of many barres to moities and partes of the lands put in view and plaint, greatly delayed, for difficulties and diuision of pleading.

2 And one cause thereof is because the plaintifes in the affise in such pleas, to moities and parts cannot by the law abidge their plaints.

3 For remedie wherof be it enacted, that the

the plaintife in euery affise from hencefozth, may at his pleasure sener and abidge his plaint, of any part oz parts wherunto any barre is pleaded, in such like maner as he oz they might do in case that ples in barre had bin made & diuided to any certainty oz number of acres in the plaint, & that the plaint for the residue of the part oz parts of p lads not abidged, shall be and stand good and effectuell in the Law.

*Spirituell persons.*

¶ An Act against pluralities of Benefices, for taking of fermes by spirituall men, and for residence, *An. 21. H. 8. cap. 13.*

Residence 2.

**F**Oz the more quiet & vertuous increase & maintenance of diuine Seruice, the pzaching & teaching the word of God, with godly and good example giuing, the better discharge of Curats, & maintenance of hospitality, the reliefe of poze people, the encrease of deuotion, and good opinion of the lay see toward the spirituall persons.

1 Be it enacted, ordeyned, & established by the King our Soueraigne Lo. with the assent of the Lords spirituall & tēporall, & the commons in this pzesent parliament assembled, & by authority of the same, that no spirituall person, secular oz regular, of what degree soener he oz they be, shal from hencefozth

## Spiritual persons.

forth take to ferme to himselfe, or to any person or persons to his vse, of the lease or graunt of the R. our Soueraigne Lord, nor of any other person or persons, by letters patents, indentures, writings, by word, or otherwise, by any maner of means, any manors, lands, tenements, or other hereditaments, for terme of life, for terme of yeares, or at will, upon paine to forfeit ten pound for euery moneth that hee or any other to his vse shall occupie any such ferme, by reason of any such Lease or graunt hereafter to be made. The one halfe of which forfeiture to be to the king our soueraigne Lord, and the other halfe therof to euery such person as shall sue for the same by originall writ, bill, or plaint of debt, or by any information in any of the Kings Courts, in which action and suit no wager of law shall be admitted for the def. nor any escoine or protection allowed.

3 And be it also enacted by the authoritie aforesaid, that all and euery such spirituall person or persons, which now haue, or occupie in ferme by themselves, or by any other to their vse, any manors, lands, tenements, or hereditaments, of the lease or graunt of the king our soueraigne Lord, or any other person or persons for terme of life, or for yeares, or at will, by any writing, or otherwise, or that now haue any annuall rents, or other annuall advantage or profit, by occasion or colour of any such lease or ferme: shall

clerely

clereely bargaine, sell, giue, or graunt away, on this side the feast of Saint Michael the Archanzell next comming, to any such lay person or persons, as they will at their owne nominations & appointment, all such lease, terme, interest, and profite, as any such spirituall person, or any other to his vse now hath, or haue, in, or by reason of any such ferme, so that in no wise any such spirituall person or persons at any time after the same feast, by themselves, or any other to their vse by any manner of meanes, fraud, or male engyn, shall haue, vse, or occupie in ferme, any manors, lands, tenements, or hereditaments, of the demise, lease, or graunt of any person or persons heretofore made, or hereafter to be made, to themselves, or to any other to their vles: nor from the said feast shall take any annuall rent, or other annuall aduantage or profite, by occasion or colour of any such lease or ferme, by any manner of meanes, vpon paine to forfeit for euery moneth so occupying any such ferme, at any time after the said feast, contrarie to this present Act, ten pound, and vpon paine to forfeit ten times as much as any such spirituall person, or any to his vse, shall take in any annuall rent, aduantage, or profite, by occasion or colour of any such lease at any time after the said feast. The one halfe of which forfeiture to be to the King our Soueraign Lord, & the other halfe to him that will sue for the same by originall writ, bill, or plaint of debt, or by

## Spiritvall persons.

by information in any of the Kings courts, in which action a suit no wager of law shall be admitted for þe defendent, nor any essoine or protection allowed.

4 And be it also enacted, that all such leases made or hereafter to be made unto any such spiritvall person or persons, or to any other to their vse, for terme of life, terme of yeares, or at will, of any manors, lands, tenements, or hereditaments, whereof they or any of them shall take any profit, or medling by themselves or any to their vse, after the said feast of saint Michael, by colour of any such lease or graunt, ( and not by them bargained, graunted, and sold away befoze the said feast, as is befoze limited ) shall from thenceforth be utterly void and of none effect, as well against the lessour or lessours, grauntour or grauntours, their heires and assignes, and against euerie of them, as against the lessee or lessees, and their executors and assignes, and euery of them.

5 Provided alway that this present Act shall not extend to any spiritvall person or persons, in, & for taking to ferme any temporalties, during the time of vacations, of any Archbischoppes, Bischoppes, Abbeyes, Priories, or other collegial, cathedrall, or conuentual churches, nor to any spiritvall person or persons, that shall tender or make any trauers upon any offices or office, concerning his or their freehold.

6 And be it also enacted by the authoritie afoze

aforsaid, & no spiritual person or persons, secular or regular, of what estate or degree former they be, shall from henceforth by himself, nor by any other for him, nor to his use, bargain and buy to sell againe for any incre, gaine, or profite, in any markets fairen, or other places, any manner of cattels, cozne, lead, tinne, hides, lether, tallof, fish, swoll, sword, or any manner of victuall or merchandise, what kind soener they be of, upon paine to forfeit treble the value of every thing by them, or by any to their use bargained and bought to sell againe contrary to this present act. And that every such bargaine and contract hereafter to be made by them, or by any to their use contrarie to this Act, shall be utterly voyd and of none effect. And the one halfe of every such forfeiture to be to the King our soueraign Lord, and the other halfe to him that will sue for the same by original writ of det, bil, plaint, or informatiō, in any of the kings courts. In which action or suit no wager of law for the defendant shall be admitted, nor any essoine nor protection allowed.

7 Provided alway, that if any such spiritual person or persons, shall happen hereafter without fraud or couin to buy any horses, mares, or nules to the only intent to occupie for himselfe or his servants, to ride to and fro, upon his necessarie business, or any other cattels or goods, to the only intent and purpose at the buying thereof to be employed

## Spiritual persons.

ployed and put, and about his necessarie apparell of his owne house, or of his person and seruantes, or in, for, and about the onely occupping, manuring, or tillage of his owne glebe or demeane landes annexed to his church, or for the necessary expences of his owne household keeping: And after the buying of any such hoxles, cattels or goods, or exercise of them or of any of them, hapneth to mislike any of them, that they should not be good, profitable nor convenient for any of the purposes abovesaid, for the which they were bought, that then every such spiritual person or persons may lawfully bargain & put away such things so by him bought, without fraud or couin for any of the purposes abovesaid, at his pleasure and advantage, this act or any thing therein contained notwithstanding.

8 Provided alway, that all abbots, priours, abbesses, prioresses, priories, prebends, masters of colleges, and hospitals, and all other spiritual governors, and governesses of any spiritual monasteries, or houses of religion, by what name or names soever they be called, having manors, lands and tenements, hereditaments and other perely profits, in the right of their monasteries or houses, of the pearely value of viij. C. markes, or vnder, and not above, may vse & occupy as much and as many of their demeane lands, see fermes, and fermes to their most advantage, commoditie, & profit

to

to and for the onely maintenance of their householdes & hospitalities, in as ample and as large maner as they or any of them, or their predecessors, or the predecessors of any of them, at any time by the space of one C. yeris last past, befoze the making of this act, haue done, vled, & occupied. Any thing in this present act to the contrary notwithstanding.

9 Provided also that enerie other spiritual person & persons, not hauing sufficient glebe or demean lands in their owne hāds, in the right of their churches, monasteries, & houses for pasturage of cattels, or for increase of coznes, to & for the only expences of their householdes, or for their cariages & iourneies, may take in ferme other lands, and buy and sell corn and cattell for the onely manurance, tillage, & pasturage of such fermes, so that the increase thereof bee alwaies employed and put to, and for the onely expences in their householdes and hospitalities and not in any wise to buy and sell againe, for any other commoditie, incre, or aduantage any cozne or cattell, renewing, comming, or growing, in & vpon any such ferme or otherwise, but onely the remaine and ouer plus aboue the expences of their householdes, if any such shall happen to be vled and increase thereof, without fraud or conuine. Any thing in this present act to the contrarie hereof notwithstanding.

10 And be it enacted by the authority afoze said



## Spiritual persons.

said, that if any person or persons having one benefice with cure of soules, being of p[re]senty value of 8. l. or above, accept & take any other with cure of soules, & be instituted & inducted in possession of the same: that then & immediately after such possession had thereof, the first benefice shal be abrogged in the law to be void. And that it shalbe lawful to every Patron, having the auowson thereof, to present another, & the presenter to have the benefit of the l[aw], in such like maner & forme as though the incumbent had died or resigned: any licence, vni[on], or other dispensati[on] to the contrary herof obtained, notwithstanding

11 And that every such licence, vni[on], or dispensati[on] had, or hereafter to be obtained contrarie to this present act, of what name or names, qualitie or qualities soever they be, shalbe utterly void and of none effect.

12 And if any person or persons at any time after the first day of Aprill, in the year of our Lord God 1530. contrarie to this present act, procure & obtaine at the court of Rome, or elsewhere, any licence or licences, vni[on], colleration, or dispensati[on], to receive & take any more benefices with cure, than is above limited, or else at any time after the said day put in execution any such licence, collerati[on], or dispensati[on], before that obtained contrary to this act: that then every such person or persons, so after the said day having for himself, or receiving & taking such benefice by force of such licence or licences, vni[on], collerati[on]

tolleration, or dispensation, that is to say, the same person or persons onely & none other, shal for every such default incurre the danger, paine, & penaltie of xx. l. sterling. And also lose & whole profits of every such benefice or benefices, as he receiveth or taketh by force of any such licēce or licences, writ, tolleration, or dispensation. The one halfe of which forfeiture to be to the king our soveraigne lord, & the other halfe thereof to him that will sue for the same by originall writ, bill, plaint of debt, or information in any of the h. courts, in which action & suit no waiger of law, eschoine, or protection for the def. shalbe admitted or allowed.

13. Provided also, that this act concerning the not keeping of more Benefices with cure of soule then one, extēd, ne be prejudiciall to any person or persons which at any time before the said first day of Aprill, in the yere of our Lord God M. lxx. and xxx. shall bee really intituled or possessed of any such benefices with cure of soule, as concerning or touching any of the same benefices, wherof they shall the be already really intituled or possessed before the said day, to or under the number of 4. & not above, & if any such spiritual person or persons so being intituled or possessed of more benefices with cure of soule the 4. do not by the first day of Aprill cherey and without yearly pension resigne or otherwise give up all and enerie such benefices and benefice as he shall be so

entitled

## Spiritual persons.

resigne or otherwise give by all and euery such benefices and benefice as he shal be so entitled & possessed of, aboue the said number, that then it shall bee lawfull for euery patron having the aduowson of any such benefice of the same, in like maner & forme as though it had been void by death or resignation of the incumbent, any licence, vni- on, or other dispensation to the contrary here- of obtained notwithstanding. And this clause of presentation to be taken and vn- derstanden, & of such benefices with cure of soule, as were given to any such spiritual person after the said number of 4. benefices with cure furnished and fulfilled.

14. Provided also, that all spiritual men now being, or which hereafter shalbe of the kings council, may purchase licence or dis- pensation, and take, receiue, and keepe thre personages or benefices with cure of soule, and that all other being the k. chapleins, & not sworn to his couacell, the chapleins of the queene, prince, or princes, or of any the kings childzen, brethren, sisters, vncles, or auncles, may semblably purchase licence, or dispensation, & receiue and keepe two parso- nages or benefices with cure of soule. And in likewise that euery Archbishop & Duke may haue vi. chapleines, whereof euery one shall and may purchase licence, or dispensa- tion, and take, receiue, and keepe two parso- nages or benefices with cure of soule, and that euery Marques & Earle may haue vi. chap-

chapleines, wherof every one may purchase licence or dispensation, and take, receiue and keepe ij. personages or benefices with cure of soule. And that every Viscount and other Bishop, may haue foure chapleines, wherof every one may purchase licence, & receiue, haue, & keepe two personages or benefices with cure of soule, as is aforesaid. And that the Chancelloz of England for the time being, & every baron & Knight of the Garter, may haue thre Chapleines, wherof every one shall now purchase licence or dispensation, and receiue, haue, and keepe two personages or benefices with cure of soule. And that every Duchesse, Marques, Countesse & Baronesse, being widowes, may haue ij. chapleines, wherof every one of them may purchase licence or dispensation to receiue, haue, and keepe two benefices with cure of soule, & that the treasurer & comptroller of the kings house, the kings secretary, & dean of his chappel, the kings almoner, & the Master of the rols, may haue every of them ij. chapleins, & the chiefe Justice of the kings bench one Chapleine, & the Warden of the Exchequer, for the time being, one Chapleine, wherof every one may purchase licence, and receiue, haue and keepe two parsonages, or benefices with cure of soule. And that the brethren and sonnes of all temporal lords, which are bozne in wedlocke, may every of them purchase licence or dispensation, and receiue, haue and keepe as many personages

## Spirituell persons.

ges oꝝ benefices with cure, as þ chapleins of a Duke oꝝ an Archbisshop. And liketwile the byethren and sonnes bozne in wedlocke of every Knight, may enery of them purchase licence oꝝ dispensation, & receiue, take & keepe two parsonages oꝝ benefices with cure of soule.

15 Provided alswaies, that the said chapleines so purchasing, taking, receiuing and keeping benefices with cure of soule as is afoze said, shall be bound to haue and exhibit, where neede shall be, letters vnder the signe & seale of the king, oꝝ other their Lord and master, testifying whole chapleins they be, and els not to enioy any such pluralitie of benefices by such chapleine. Any thing in this act notwithstanding.

16 Be it also pꝛouided, that all doctozs & bachelers of diuinitie, doctozs of law, and bachelers of law canon, and enery of them which shall be admitted to any the said degrees, by any of the Vniuersities of this Realme, & not by grace only, may purchase licence, & take, haue, & keepe two parsonages oꝝ benefices with cure of soule.

17 So that alswaies the said liberty by any of the pꝛouisions befozesaid, giue to any of the said counsellors, chapleins, and other persons befoze specified, to purchase licence oꝝ dispensation, and take, receiue, and keepe no benefices then one, after the maner and forme afozesaid, bee taken and vnderstanden to extende in number to no moze benefices

fices with cure of soule, then is aboue limited, accōpting in the same & as parcel thereof, such benefices with cure of soule, as any of the said persons shal haue in real title or in their possession, at the said first day of Aprill, in the yere of our Lord God 1530.

18 Provided also, that euery Archbishop, because he must occupy viij. chapleins at consecrations of Bishops, and euery Bishop because he must occupy 6. chapleins at giuing of orders and consecration of churches, may euerie of them haue 2. chapleines ouer and aboue the number aboue limited vnto them, wherof euery one may purchase licence or dispensation, & take, receiue, and keepe as many personages & benefices with cure of soule, as is before assigned to such chapleins.

19 Provided also, and be it enacted by authority aforesaid, that no person or persons to whom any number of chapleins or any chapleine by any of the provisions aforesaid is limited, shall in any wise, by color of any of the same provisions, aduāce any spirituall person or persons, aboue the number of them appointed, to receiue or keepe any more benefices with cure of soule, then is aboue limited by this act, any thing specified in the said provisions notwithstanding, and if they doe, then euery such spirituall person & persons, so auanced aboue the said number, to incur the paine and penalty contained in this act.

## Spirituell persons.

20 Be it also furthermoze enacted by the authoritie aforesaid, that as wel euerie spirituall person now being promoted to any Archdeaconry, Deanry, or dignitie in any Monastery or Cathedrall church, or other Church conuentuall or collegiall, or being beneficed with any parsonage or vicarage, as all and euerie spirituall person and persons, which hereafter shalbe promoted to any of the said dignities, or benefices, with any parsonage or vicarage from the feast of saint Michael tharchangel next comming, shalbe personally resident & abiding, in, at, and vpon his said dignitie, prebend, or benefice, or at one of the at the least. And in case any such spirituall person at any time after the said feast, keepe not residence at one of his said dignities, prebend, or benefices, as is aforesaid, but absent himselfe wilfully by the space of one moneth together, or by the space of two monethes, to be accounted at severall times in any one yeare, and make his residence & abiding in any other places, by such time, that the he shal forfeit for euerie such default x. l. sterling. The one halfe therof to the king our soueraign Lord, and the other halfe of the same to the party that shall sue for the same in any of the Kings courts by original writ of debt, bill, plaint, or information. In which action & suit the def. shal not swage his law, nor haue any escoine or protection allowed.

12 And if any persō or persons procure or obtaine

obtaine at the court of Rome or elsewhere, any manner of licence or dispensation to bee non resident at their said dignities, prebend or benefices, contrarie to this act, that then every such person or persons, putting in execution any such dispensation or licence for himselfe from the said first day of Aprill, in the yere of our Lord God 1530. shall runne and incurre in the penalty, damage, & paine of xx. pounds sterling for every time so doing, to be forfeited & recovered as is above said, and such licence or dispensation so procured, or to be put in execution, to be voyde and of none effect.

22 Provided also, that this act of non residence shall not in any wise extend ne bee prejudiciall to any such spirituall person as shall chauce to be in the kings service beyond the Sea, nor to any person or persons going to any pilgrimage or holy place beyond the sea, during the time that they shall so be in the kings service, or in their pilgrimages going and returning home, nor to any scholar or scholars being conuersant & abiding for studie, without fraud or conin at anye universitie within this realme or without, nor to any of the Chapleins of the kings or Quenes, daily or quarterly attending and abiding in the Kings or Quenes most honorable households. Nor to any of the Chapleins of the prince or princesse, or any of the Kings or Quenes children, brethren or sisters, attending daily in their honorable



## Spirituell persons.

households, during so long as they shall attend in any of their said householdes. For to any Chapleine of any Archbishop, or Bishop, or of any spirituall or tempozall Lords of the Parliament, daily attending, abiding and remaining in any of their honourable households. For to any Chaplein of any duchesse, marques, countesse, vicountesse or baronesse, attending daily and abiding in any their honourable households. For to any chaplein of the L. Chancelloz or Treasozer of England, the Kings Chamberlaine or Steward of his household for the time being, the Treasozer and Comptroller of the Kings most honourable household for the time being, attending daily in any their honourable households. For to any Chapleins of any the knights of the honorable order of the garter, or of the chief Justice of the Kings bench, warden of the v. Dors, or also of the Master of the rolls. For to any Chapleine of the Kings Secretarie and Deane of the Chappel, or Plumer for the time being, daily attending and dwelling in any their householdes, during the time that any such chaplein or chapleins shall abide and dwell without scande or couine, in any of the said honourable households. For to the master of the rolls, or deane of the arches. For to any Chancelloz or commissary of any Archbishop or bishop. For to as many of the xx. Masters of the Chancery, & xij. aduocates of the Arches, as be or hereafter shalbe spirituall

small men, during so long time as they shall occupie their said rooms & offices. Nor to any such spirituall persons, as shall happen by intimation of the Lo. Chancelloz or the kings Counsell to be bound to any daily apparance & attēdance to answer to the law, during the time of such intimation.

23 Provided also, that it shalbe lawfull to euerie Spirituall person or persons, being chapleines to our soueraigne Lord & King, to whom it shall please his highnes to giue any benefices or promotions spirituall, to what number soener it be, to accept & take the same, without incurring the danger, penaltie, & forfeiture in this estatut comprised. And that also it shall be lawfull to the kings highnesse to giue licence to euerie of his own chapleins for non residence vpon their benefices: any thing in this present act contained to the contrarie notwithstanding.

24 And be it furthermoze enacted be the authoritie aforesaid, that no spirituall person, secular or regular, beneficed with cure, as is afoze rehearsed, from the feast of saint Michael tharchangel next comming, by authoritie of any maner licence, dispensation or otherwise, shall take any particular stipend or salarie to sing for any soule, nor haue or occupie by himselfe, or by any other to his vse, any parsonage, or vicarage in ferme of the lease or graunt of any person or persons, nor take any profite or rent out of any such ferme, vpon paine to forfeit pl. s. for

## Spiritual persons.

enerie such waikes that hee or any to his vse shall occupie or haue any such stipend or ferme contrary to this present act. And by pain to lose x. times the value of such profit or rent as he shall take out of any such ferme after the said feast. The one halfe of which forfeitures to be to the king our soueraigne Lord, & the other moiety to him that will sue for the same by originall writ, bill, plaint of debt, or by information in any of the Kings courts, in which suit & action, no wager of law shall be admitted for the defendant, nor any essoine or protection allowed.

25 Provided also, that no deanry, archdeaconry, Chancelorship, Treasurership, chauntership, or prebend in any cathedrall or collegial church nor parsonage, that hath a vicar indueed, nor any benefice perpetually appropriate, be taken or comprehended under the name of Benefice having cure of soule, in any article afoze specified.

26 Provided also, and be it enacted by the authority aforesaid, that not spiritual person or persons, regular or secular, of what estate, degree, or condition soener he or they be, from the first day of Aprill next coming, haue, vse, or keepe, by him or themselves, or by any person or persons to his or their vse or commoditie, any maner of tan-house or tan-houses, to be vled or occupied to his or their own vse, commodity, or behoofe: nor from the said first day of Aprill next coming, shall haue, vse or keepe any maner of  
by law

hys house or hys houses to any other use, intent or behaue, then onely to be spent and occurred in his or their owne houses, vpon paine to forfeite for euery moneth so vsing and occuppyng any of the said mysteries, or occupations x. l. The one moitie thereof to the King our soueraigne Lord, & the other moity to him that will sue for the same by original writ, bill, plaint of debt, or information in any of the Kings Courts, in which action and suit no wager of law shall be admitted for the defendante, ne any escoine, or protection allowed.

27 Provided alwayes, that euery duchess, marquesse, countesse, baronesse, widowes which haue taken, or that hereafter shall take any husbands vnder the degree of a baron, may take such number of Chapleins as is aboue limited to them being widowes, and that euery such chapleine may purchase licence to haue and take such number of benefices with cure of soule, and haue like libertie of non residence, in maner and forme as they might haue done if their said ladies & mistresses had kept theselues widowes: Any thing in this present Act contayned to the contrarie notwithstanding.

28 Provided alwayes, that euery spiritual person or persons, hauing landes, tenements, or other possessions in the right of their houses, aboue the petye value of vijl. C. markes, may keepe & retaine in their occupation and manurance, as much as their

said

## Spiritual persons.

said landes and tenements, and other possessions, as shall be necessarie and sufficient for pasturage of their cattels, and for tillage of cozne to be imployed and spent for the onely maintenance, sustentation, and keeping of his or their households and hospitalities, without fraud or coun, any thing in this present acte to the contrarie thereof notwithstanding.

29. Provided alway, that it may be lawfull to enerie spiritual person and persons, to take in ferme any meases, manfions, or dwelling houses, having but onely Orchards, or Gardens, in any Citie, Borough and Towne for their owne habitation or dwelling: Any thing in this Acte to the contrarie notwithstanding. So that no person spiritual other then be about provided for, for their non residence have any libertie of non residence by colour of this proviso. See the Statutes made 25. Henr. 8.

cap. 16. and 28. H. 8. cap. 13. and 33. H. 8.

cap. 28. in Residence 3. 4. and 5.

who els may have dispensation and be non resident.

An

soner  
spirit  
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An Act that all Fermers may enioy their leases, against recoveries had by fained titles and falsifie the same recoveries, *Ann. 21. H. 8. cap. 15.*

Recoveries 2.

**W**here afore this time diuers persons haue made leases of their manors, lands, tenements, & other hereditaments, sometime by their indentures, & sometime without writings to other persons for term of yeres, taking of them great fines for the incums of the same leases, and after the same lessours, their heyres or assigns, haue caused and suffered recoveries to be had against them in the Court of our soueraigne L<sup>o</sup>. the king, and in other lords courts, vpon fained & vnttrue titles, by craft & couin, to put the said termours from their said termes. And after such recoveries had, the same recoverers, by reason of such recoveries and iudgments, haue entred into the same manors, lands, tenements, and other hereditaments, so to serue letten, & thereof haue expelled the said fermes, contrarie to their said leases, couenants, & agreements: And because it was doubted to some persons whether the said fermers might falsifie such recoveries or not.

2 Be it therefore enacted by the king our soueraigne Lord, by the assent of the Lords spiritual & temporal, & the commons in the present Parliament assembled, & by the authority of the same, & all such fermers shal and may

## Recoueries.

may fallise for his termes onely, such recoueries, as wel heretofore had, as hereafter to be had, in such wise & forme, as a tenēt of a freehold, shal & may do by the course of the common law, where such tenēt of freehold was neither party nor party to the same recovery.

3 And that the same termors their executors & assignes, notwithstanding such recoveries so had, shall retain, hold, & enjoy their said termes, according to their said leases against all such reconerors, their heires and assignes.

4 And that the said reconerors their heires & assignes, after such recovery so had, shall haue like remedy against the said termors, their executors & assignes, by anowry or action of debt for the rēts & seruices reserved upon the same leases, being due after the same recoveries, & also like actions against them for wast done after the same recoveries so had, in like maner and forme as the said lessors should or might haue had, if the same recoveries had neuer bin had.

5 And also be it further enacted by the authority aforesaid, that no maner of Statute of the Staple, Statute Merchant, nor execution by Elegit, be hereafter avoided, or in any wise made frustrate, by meanes of any such feined recovery, but that all psons having any lands, tenements, or other hereditaments in execution, or being intituled to haue execution of any manors, landes, or tenements, by any such means, shal haue by force

fozce of this estatute like remedie to auoide  
and falsifie the same reconeries, as befoze  
is ordained and pꝛouided for the lessee for  
terme of yeres.

## Auowric.

An act concerning Aduowries. Anno  
21. H. 8. cap. 19.

Auowric<sup>r</sup>.

**W**here as well the noblemen of this  
realme, as diuers other persons, by  
fines, reconeries, graunts, and se-  
cret feoffments & leases, made by their te-  
nants to persons unknowne, of the lāds &  
tenements holden of them, haue bin put from  
the knowledge of their tenants, vpon whō  
they should by order of the law make their  
Auowries, for their rents, customes, & ser-  
uices, to their great losses and hinderances

2 We it therfoze enacted, established, and  
ordained by authoritie of this pꝛesent par-  
liament, that wheresoener any manours,  
lands, tenements, and other hereditaments  
be holden by any maner person or persons,  
by rents, customes, or seruices, that if the  
Lord, of whom any such manors, lands, te-  
nements, or hereditaments bee so holden,  
distraigne vpon the same manors, lands, or  
tenements, for any such rents, customes, or  
seruices, & replenin thereof be sued, that the  
Lord, of whom the same lands, tenements,  
or



## Auowrie.

or hereditaments be so holden, may auowze, or his bailife or seruant make consuſance, or iuſtifie for taking of the ſaid diſtreſs, vpon ſame lands, tenements or hereditaments ſo holden, as in lands or tenements within his fee or ſeigniozie, alleaging in the ſaide auowzie, conſuſance, & iuſtification, the ſame manors, lands, and tenements to be holden of him without naming of any perſon certaine to be tenant of the ſame, and without making any auowzie, iuſtification, or conſuſance vpon any perſon certaine. And likewiſe the Lord, Bailife, or ſeruant, to make auowzie, iuſtification, or conſuſance, in like maner and forme vpon euery writ ſued of Second deliuerance.

3 And alſo be it enacted by the ſaid authoritie, that euery auowant, and euery other perſon and perſons, that make any ſuch auowzie, iuſtification, or conſuſance, as bailife or ſeruant to any perſon or perſons in any Replegiarie, or Second deliuerance, for reſs cuſtomes, ſeruices, or for damage feſant, or other rent or rents, vpon any diſtreſs taken in any lands or tenements: if the ſame auowzie, conſuſance, or iuſtification be found for them, or the plaintifes in the ſame be nonſuit, or otherwiſe barred: that then they ſhall recouer their damages & coſts againſt the ſaid plaintifes, as the ſame plaintifes ſhould haue done, or had, if they had recovered in the Repleg. or Second deliuerance found againſt the ſaid defendants. See before  
fore

fore, Anno 7. H. 8. cap. 4. Recoueries 1.

4 And be it also ordained, that the said plaintifes and defendants in the said writs of Replegiarie, or writs of Second deliuerance, and in euery of them, shall haue like pless, and like aide and prayers in all such answyes, conuassances, and iustifications, pless, of disclaimer onely except, as they might haue had befoze the making of this Act, and as though the said answye, conuassance, or iustification had beene made after the due order of the common Law.

5 And it is further enacted by the said authoritie, that al such persons as by the order of the common Law may lawfully ioine to the plaintifes or defendants in the said writs of Replegiarie, or Secod deliuerance, aswell without proces, as by proces, shall from henceforth ioine vnto the said plaintifes or defendants, aswell without proces as by proces, & to haue the like pless & like aduantages, in all things (disclaimer onely except) as they might haue done by the order of the comon Law befoze the making of this act.

### Attaine.

An act concerning Periuries and punishmēt of vntrue Verdicts An 23, H. 8. cap. 3.

Attaint 2.

**T**He king our soueraigne lord of his most godly & gracions disposition, calling to his remembzance, how that periury in this land

## Attaint.

land is in manifold causes, by unreasonable  
meanes, detestably used, to the disinheri-  
tance and great damage of many & great number  
of his subjects, well disposed, & to the most  
high displeasure of Almighty God, The  
good Statute against all officers having re-  
turne of writs, and their deputies, making  
panels partially for rewards to them giue,  
against unlawfull Mainteinors, Embaz-  
cers, and Jurors, & against Jurors un-  
truly giuing their verdict, notwithstanding.  
For reformation whereof, & forasmuch as  
the late noble king Henrie the seventh, pro-  
vided remedy for the same by a Statute made  
in the 11. yere of his raigne cap. 24. which  
Statute is now expired :

2 Be it therfore now enacted by the king  
our soneraigne Lord, & the Lords spiritual  
and temporall, and the Commons in this  
present parliament assembled, & by authori-  
tie of the same, That vpon every vnttrue  
verdict hereafter giuen betwixt partie and  
partie, in any suit, plaint, or demand, before  
any Iustices, or Judges of Record, where  
the thing in demand & verdict thereupon  
giuen, extendeth to the value of xl. pound,  
and concerneth not the jeopardy of mans  
life, the partie grieved by the same verdict,  
shall haue a writ of Attaint against euery  
person hereafter so giuing a vnttrue ver-  
dict, & euery of them, and against the party,  
which shall haue Iudgement vpon the same  
verdict. And that in the same Attaint, there  
shall

shalbe awarded against the petit Jury, the partie, and the grand Jurie, Sommons, resommons, and distresse infinite, which grand Jurie shall be of like number, as the grand Jurie is now in attaint: and every of them that shal passe in the same, shal have lands & tenements to the value of twentie marks by the yere, of freehold, out of the ancient demesne.

3 And upon the distress which shalbe delivred of record upon the same, open proclamation to be made in the court where the distresse shall be awarded more then fiftene daies afore the retourne of the same distresse, and everie such distresse shall bee made upon the land of everie of the said grand Jurie, as in other distresses is and hath bin used.

4 And if the said party defendant, or the petite Jurors, or any of them appeare not upon the distress, then, the grand Jury to be taken against them and every of them that shall so make default.

5 And if any of the said petite Jury appeare, then the partie complainant in that behalfe, shall assigne the false serement of the first verdict utterly given, wherunto they of the petite Jury shall have none answer (if they be the same persons, and the writ, proces, retourne, and assignement good and lawfull) except that the demandant, or plaintife in the same Attaint hath afore him nonsuit, or discontinued his suit of attaint

## Attaine.

taint take for the same, or hath for the same  
 verdict in a writ of Attaine had iudgement  
 against þe said petit iury, but only that they  
 made true serement, which issue shalbe tried  
 by xliij. of the said grand Iurie. And the  
 party shal plead, that they gaue true verdict  
 or any other matter, which shall be a suffici-  
 ent barre of the said Attaint. And, that pla  
 notwithstanding, the grand Iurie to be ta-  
 ken without delay, to inquire whether the  
 first Iury gaue true verdict or no. And if  
 they find that þe said petit Iury gaue an vn-  
 true verdict, the euery of þe said petit iury is  
 forfeit xx. l. wherof the one halfe shall be to  
 the R. our soneiraigne Lord, and the other  
 halfe to the party that sueth. And ouer that,  
 that euery of the said petit iury shal severally  
 make fine & ransome by the discretion of  
 the Iustices, befoze whom the said false se-  
 rement shalbe found, after their severall of-  
 fences, defaults and sufficiencie of euery of  
 the said petit iury. And, after that, that thos  
 of the said petit iury so attainted shall neuer  
 after be in any credēce, nor their oth accep-  
 ted in any court. And if any plee as the par-  
 ty pleadeth, which is a barre of the said at-  
 taint be found or deemed against him that so  
 pleadeth, then the party that so sueth shall  
 haue iudgement to be restozed to that he lost  
 with his reasonable costs and damages.

6 Forseene alwaie, that any vttery in  
 action or cause personal, or excoimengement  
 pleaded or alledged in the party plaintife or  
 demand

demandant shalbe taken but as a bold pla<sup>r</sup>, & to that he shal not be put to answer. And that in all the foresaid proces such day shall be given as in a writ of Dover, and none essone or protection to lie nor to be allowed in the same.

7 And if the said grand iurie appeare not upon the first distress had against the<sup>r</sup>, so that the iury for their default do remain, he that maketh default shal forfeit to the king xx. s. and upon the second distress xl. s. and after making default, for everie such default, five pound; and like penalties and forfeitures to be against them and every of them that shall be named in the Tales, as is afore expressed against everie of the said grand iury afore said. And that for and by the death of the party or any of the said petite iurie, the said attaint shall not abate, nor be deferred against the remnant, as long as two of the said petite iurie be alive.

8 And if hereafter any false verdict be given in any action, suit, or demand, afore any Justice or Judge of record, of any thing personal, as debt, trespass, & other like, which shalbe under the value of forty pound, that then the partie grieved shall have attaint, with such proces & pla<sup>s</sup> as is afore rehearsed, & delays to be taken away as is afore remembred, except that in this case of attaint everie person of the grand Jury that may dispend x. marks by the yeare of freehold out of ancient demesne, or is worth an hundred

## Attaint.

dyed markes of goods and cattels, shall bee able to passe in the same attaint. And if the petit iury be attainted, that then they shall in this case of attaint euery of them forfeite v. li. whereof one halfe shall be to the king, and the other halfe to the partie, after the forme afoze rehearsed, & ouer that to make fine and ransome by the discretion of the Iustices, as is afozesaid.

9 And if there be not persons of such sufficiencye with in the shire or place where any of the said attaints shall be taken, as may passe in the same: be it ordained by the authority abovesaid, that then one Tales shall be awarded into the shire next adioining by the discretion of the Iustices, afoze whom the same attaints shall be take, which shall be warned to appeare vpon like paines, as is afozesaid, & enabled to passe in the said attaints, as if they were dwelling in the shire where the same attaint shall be taken.

10 And that the same lawes, action, and remedy ordained by this present act, be kept for and to all them that shall be grieved by such untrue verdicts of any inheritance, in discent, reuerfion, remainder, or of any freehold in reuerfion or remainder. And if the party in attaint grieved by this act be nonsuit, or the same discontinue, that then the same partie so nonsuit or so discontinuing the said attaint, make fine and ransome by the Iustices afoze whom the said attaint shall be taken and depending.

11 And

**¶** And þ all attaints heereafter to be taken, shalbe take afoze the king in his bench oz afoze the Justices of the common place, & in none other Courts. And that Nisi prius shall be graunted by discretion of the Justices vpon the distres. And euery of the said petite Jurie may appeare and answere by attornei in the said attainnt. And that the moity of the said forfeiture of the petit Jury shalbe leuted to thase of our soueraigne lord by Capias ad satisfaciend, oz Fieri facias, oz Elegit, oz by actio of debt, againt euery person of the petit Jury so forfetting, & againt his executozs and administratozs, hauing then sufficient goods of their said testator not administrad: and the other moitie shall by like proces be leuted to the vse of the partie that sueth any attainnt giuen by this act, againt euery of the said petit Jury and his executozs oz administratozs, hauing then sufficiencie of goods as is afozesaid, not administrad, and the iudgement of restitution to the partie griued suing this act & execution of the same to be had, & like iudgement for the partie defendand oz tenant to be discharged of restitution, as afoze this present act in case of a graund attainnt had bin vled.

**¶** And if there be diuers plaintiffs oz demandants in attainnt, that the nonsuit oz release of any of them shall not be in any wise hartful oz prejudiciall to þ residue, but that they & euery of them in such cases may be summoned and seuered like as it is vled



## Attaint.

When there be diuers demandants in actions reals.

13 We it also ordeined and enacted by the authoritie abovesaid, that in every writ of attaint hereafter to be taken by or vpon this Act, the which shall be such as other writs of attaint be, & after the Telle of the same writ, shalbe written these wordes in Latin, Per statutū cōtinuaf vsq; annum vicefīm tertium dñi Henrici octauī, dei gratia Angliæ & Franc' Regis fidei defenſ. & dñi Hiberniæ.

14 And it is also enacted, þ this Act shall take effect for verdicts hereafter to bee giuen, and to continue to the last day of þ next Parliament.

15 Provided alway, that this Act be not preiudiciall to a statute made in the xj. yere of the late king of famous memorie Henry the vij. for punishment of Periurie in vntreue verdicts giuen in plaints sued in the Courts of the Citie of London, but that it shal be at the libertie of all persons, for & vpo any vntreue verdict giuen in any courts of the same Citie, to sue their Attaint vpon this estatute, or else vpon the said estatute made in the said xj. yere at their owne pleasures and wills. See Ann. 11. H. 7. cap. 21. Attaint 13. for Attaints in London.

16 Note, that this statute is made perpetual, 2n. 13. Eliz. cap. 25.

¶ An Act expressing an order for Vfes, and Wills, *An. 27. H. 8. cap. 10.*

## Vfes 9.

**W**here, by the common Lawes of this Realme, landes, tenements, & hereditaments, be not deuifable by Testament, nor ought to be transferred from one to another, but by solempne iurisdiction, matter of record, writing sufficient, made bona fide, without contriue or fraude: yet neuerthelesse, diuers and sundry imaginations, subtil inuentions, and practises haue bin vsed, wherby the hereditaments of this Realme haue been conueyed from one to another by fraudulent feoffements, fines, reconeries, & other assurances craftily made, to secret vses, intents, and truses, and also by wills and testaments, sometime made by nude paroll and words, sometime by signes and tokens, and sometime by writing, and for the most part made by such persons as be visited with sickness in their extreame agonies and paines, or at such time as they haue had scantely any good memorie or remembrance; at which times they being provoked by greedie & covetous persons lying in a waite about them, doe many times dispose indiscreetly, & vnadvisedly their landes and inheritances. by reason wherof, and by occasion of which fraudulent feoffements, fines, reconeries, and other like assurances to vses, confidences and truses, diuers and

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many heyres haue beene intulstly at sundry times disherited, the Lords haue lost their marches mariages, relieues, harriots, escheates, aydes pur faire fits chivaler, & pur file marier, and scantly any person can be certainly assured of any lands by them purchased, nor knowne surely against whom they shall vie their actions, or execution for their rights, titles, and duties.

2 Also men married haue lost their tenancy by the curtesie, women their dowers, manifest perjuries, by triall of such secret wills and bles, haue beene committed.

3 The kings highnesse hath lost the profits & aduantages of the lands of persons attainted, & the lands craftily put in seoffement to the vles of aliens bozne, & also the profits of waist for a yeare & a day, of lands of felons attainted, and the Lords their escheates thereof, and many other inconueniences haue hapned, & daily doe increase among **h**is subjects, to their great trouble and iniquities, to the viter subuersion of the auncient common lawes of this realme.

4 For the extirping and extinguishment of all such subtill practised seoffemēts, fines, recoveries, abuses, and errors, heretofore vled and accustomed in this Realme, to the subuersion of the good & auncient lawes of the same; and to the intent that the Kings highnes, or any other his subiects of this Realme, shall not in any wise hereafter by any meanes or intentions, bee deceived, damaged,

damaged, or hurted, by reason of such  
trustes, vses, or confidences: It may please  
the Kings most royall Maiesty, that it may  
be enacted by his highnes, by thassent of the  
Lords spirituall and tempozall, and the  
commons in this present parliament assem-  
bled, and by authoritie of the same, in ma-  
ner and forme folloowing, that is to say:

That where any person or persons shal  
or be seised, or at any time hereafter shall  
happen to be seised, of, and in any honours,  
castles, manors, lands, tenements, rents,  
services, reuerfions, remainders, or other  
hereditamets, to the vse, confidence, or trust  
of any other person or persons, or of any bo-  
die politique, by reason of any bargaine,  
sale, feoffement, fine, recouerie, covenant,  
contract, agreement, will, or otherwise, by  
any manner meanes whatsoeuer it be, that in  
euerie such case, all and euerie such person  
and persons, and bodies politique, that  
haue, or hereafter shall haue any such vse,  
confidence, or trust, in fee simple, fee taile, for  
terme of life, or of yeares, or otherwise, or  
any vse, confidence, or trust in remainder, or  
reuerter, shall from hence forth stand and be  
seised, deemed, and aduadged in lawfull sei-  
sin, estate, and possession, of, and in the same  
honours, castles, manors, lands, tene-  
ments, rents, services, reuerfions, remain-  
ders, and hereditaments with their appur-  
tenances, to all intents, constructions,  
and purposes in the Law, of, and in such  
like

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like estates, as they had, or shal haue in vse, trust, or confidence, of, or in the same.

6 And that the estate, title, right, and possession that was in such person or persons, that were, or hereafter shal be seised of any lands, tenements, or hereditaments, to the vse, confidence or trust of any such person or persons, or of any bodie politike, be from henceforth cleerly deemed, and adiudged, to be in him or them that haue, or hereafter shal haue such vse, confidence, or trust, after such qualitie, maner, forme, and condition, as they had befoze, in, or to the vse, confidence, or trust that was in them.

7 And be it further enacted by the authoritie aforesaid, that where diuers and many persons, be, or hereafter shal happen to be iointly seised, of, & in any lands, tenements, rents, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any of them, that be so iointly seised, that in euerie such case, that those person or persons, which haue, or hereafter shal haue any such vses, confidence, or trust, in any such lands, tenements, rents, reuerfions, remainders, or hereditaments, shal from henceforth haue, and be deemed and adiudged to haue, only to him or them, that haue, or hereafter shal haue such vse, confidence, or trust such estate, possession, & seisin, of, and in the same landes, tenements, rents, reuerfions, remainders, or other hereditaments, in like nature, maner, forme, condition, and course,

as

as he or they had befoze in the vse, confidence, or trust, of the same lands, tenements or hereditaments.

8 Having, and reserving to all & singular persons, and bodies politike, their heires and successours, other then those person or persons, which be seised, or hereafter shal be seised of any lands, tenements, or hereditaments, to any vse, confidence, or trust, all such right, title, entrie, interest, possession, rents & action, as they, or any of them had, or might have had befoze the making of this Act.

9 And also saving to all & singular those persons, & to their heires, which be, or hereafter shal be seised, to any vse, all such former right, title, entry, interest, possessions, rents, customs, services, & action, as they, or any of them might have had to his or their own proper vse, in, or to any manors, lands, tenements, rents, or hereditaments, whereof they be, or hereafter shall be seised to any other vse, as if this present Act had never been had or made: Any thing conteyned in this act to the contrarie notwithstanding.

10 And where also divers persons stand or be seised, of, and in any lands, tenements, or hereditaments, in fee simple, or otherwise, to the vse or intent that some other person or persons, shal have & perceive yearly to them and to his or their heires, one annuall rent of ten pounds, or more, or lesse, out of the same lands & tenements, & some other person, one other annuall rent to him and his assigns

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assignes for terme of life, or yeares, or for some other speciall time, according to such intent, and vse, as hath bene heretofore declared, limited, & made thereof. Be it therefore enacted by the authority aforesaid, that in euery such case, the same persons, their heires, and assignes, that haue such vse and interest, to haue and perceiue any such annual rents out of any lands, tenements, or hereditaments, that they and euery of them, their heires, and assignes, be aduindged and deemed to be in possession and seisin of the same rent, of, and in such like estate, as they had in the title, interest, or vse of the said rent, or profite, and as if a sufficient graunt or other lawfull conueiance had bene made & executed to them, by such as were or shall be seised to the vse or intent of any such rent, to be had, made, or payed, according to the verie trust and intent thereof.

II And that all & euery such person and persons, as haue, or hereafter shall haue any title, vse, & interest, in, or to any such rent or profite, shall lawfully distraine for non payment of the said rent, & in their owne names make amovables, or by their bayliffes or seruants make cognisances & iustificacions, & haue all other suits, entries, & remedies, for such rents, as if the same rents had bene actually & really graunted to them, with sufficient clauses of distress, reuentry, or otherwise, according to such conditions, paines, or other things limited & appointed vpon the trust and

and intent for paymēt or surety of such rent.

12 And be it further enacted by the authoritie aforesaid, that whereas divers persons have purchased, or have estate made & conveyed, of, & in divers lands, tenements, and hereditaments, unto them, and to their wives, & to the heires of the husband, or to the husband & to the wife, and to the heires of their two bodies begottē, or to the heires of one of their bodies begottē, or to the husband & to the wife for terme of their lives, or for terme of life of the said wife.

v. Col. 4. 2. a. b.

13 Or where any such estat, or purchase of any lands, tenements, or hereditaments, hath bene, or hereafter shall be made to any husband and to his wife, in manner and forme above expessed, or to any other person or persons, & to their heires & assignes, to the use and behoofe of the said husband & wife, or to the use of the wife, as is before rehearsed, for the iointure of the wife: that the in every such case, every woman married, having such iointure made, or hereafter to be made, shall not claim, nor have title to have any dowry of the residue of the lands, tenements, or hereditaments, that at any time where her said husbands, by whom she hath any such iointure, nor shall demaunde, nor claim her dowry, of, & against the that have the lands, and inheritances of her said husband. But if she have no such iointure, then she shall be admitted & inhabiled to purchase, have, and demaunde her dowry, by writ of dowry.



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doſwer, after the due courſe & order of the common lawes of this realme: this act, or any law or promiſion made to the contrary thereof notwithstanding.

14 **Pr**ovided alſo, that if any ſuch woman bee lawfully expelled, or enicted from her ſaid jointure, or from any part thereof, without any fraud or coun, by lawfull entre, action, or by diſcontinuance of her husband: then every ſuch woman ſhall bee endowed of ſomuch of the reſidue of her husbands tenements, or hereditaments, whereof ſhe was befoze doſwable, as the ſame lands, and tenements ſo enicted & expelled, ſhall amount or extend unto.

15 **Pr**ovided alſo, that this act, or any thing therein contained or expreſſed, extend not, nor be in anywiſe hurtful or prejudiciall to any woman, or women, heretofore being married, of, for, or cōcerning ſuch right, title, uſe, intereſt, or poſſeſſion, as they, or any of them have, claim, or pretend to have for her or their jointure, or doſwer, of, in, or to any manors, lands, tenements, or other hereditaments, of any of their late husbands being now dead or deceaſed: any thing contained in this act to the contrary notwithstanding.

16 **Pr**ovided alſo, that if any wiſe hath, or hereafter ſhall have any manors, lands, tenements, or hereditaments, unto her gift or aſſured after marriage, for term of her life, or otherwiſe in jointure, except the ſaſſurance be to her made by act of Parliament,

ment, and the said wife after that fortune to ouerlive the same her husband, in whose time the said iointure was made, or assured vnto her, that then the same wife, so ouerliving, shall and may at her libertie, after the death of her said husband, refuse to haue and take the lands and tenements, so to her given, appointed, or assured, during the co-nerture, for terme of her life, or otherwise, in iointure (except the same assurance bee to her made by act of parliament, as is aforesaid) and thereupon to haue, aske, demand and take her dower, by writ of dower, or otherwise, according to the common Law, of, and in all such lands, tenements, & hereditaments, as her husband was and stood seised of any estate of inheritance, at any time during the coverture: any thing contained in this Act to the contrarie in any wise notwithstanding.

17 Provided also, that this present Act, nor any thing therein contained, extēd, nor be at any time hereafter interpreted, expounded, or taken, to extinct, release, discharge or suspend any statute, recognisance, or other bond by the execution of any estate, of, or in any lands, tenements, or hereditaments, by the authoritie of this act, to any person or persons, or bodies politicke: any thing contained in this Act to the contrarie therof notwithstanding.

18 And soasmuch as great ambiguities & doubts may arise of the validitie & invaliditie

libtie of wills heretofore made of any lands,  
 tenements, and hereditaments; to the great  
 trouble of the kings subjects: The kings  
 most royall Maiestie, minding the tranqui-  
 lity & rest of his loving subjects, of his most  
 excellēt and accustomed goodnesse is plea-  
 sed & contented, that it be enacted by the au-  
 thority of this present parliament, that all  
 manner true & iust wills and Testaments,  
 heretofore made, by any person or persons,  
 deceased, or that shal decease, before the first  
 day of May, that shalbe in the yere of our  
 Lord God M. v. C. xxxvj. of any lands, te-  
 nements, or other hereditaments, shal bee  
 taken and accepted good & effectuell in the  
 law, after such fashion, manner, and forme,  
 as they were commonly take & vled, at any  
 time within 40. yeaes next before the ma-  
 king of this act: any thing contained in this  
 act, or in the preamble therof, or any opiniō  
 of the common law to the contrary thereof  
 notwithstanding.

19 Provided alwaies, that the Kinges  
 Highnesse, shal not haue, demaund, or take  
 any aduantage or profit, for, or by occasion  
 of the executing of any estat only by antho-  
 rity of this act, to any person or persons, or  
 bodies politicke, which now haue, or on  
 this side the said first day of May, which  
 shal be in the yere of our Lord God 1536.  
 shal haue any vble or vles, trustes, or com-  
 fidences; in any manours; lands, tene-  
 mētts, or hereditamētts, holden of the kings  
 highnesse,

highnes, by reason of Primer seisin, Livery, Quarter le maine, Fines for alienation, Reliefe, or Harriot, but that fines for alienations, Relieves & Harriots, shalbe paid to the H. highnesse.

20 And also Liveries, & Quarter le mains shal be sued for vles, trusses, and considerations to be made and executed in possession, by authority of this act, after and from the said first day of May, of lands and tenements, and other hereditaments holden of the H. in such like manner & forme, to all intents, considerations & purposes, as hath heretofore bin vled or accustomed by the order of the lawes of this realme.

21 Provided also, that no other person or persons, or bodies politique, of whom any lands, tenements, or hereditaments bee, or hereafter shalbe holden, mediate or immediate, shal in any wise demand or take any fine, reliefe, or harriot, for, or by occasion of the executing of any estate by the authority of this act to any person or persons, or bodies politique, before the said first day of May, which shal be in the yere of our Lord God 1536.

22 And bee it enacted by authority aforesaid, that all & singular person & persons, and bodies politique, which at any time on this side the said first day of May, which shal be in the yere of our lord God 1536. shall have any estate unto them executed, of, & in any lands, tenements, or hereditaments, by the  
 autho.

## Vles.

authoritie of this act, shall & may have and take the same or like advantage, benefite, boucher, aide ppaier, remedie, commodity, & profit, by action, entrie, condition, or otherwise, to all intents, constructions or purposes, as if person or persons seised to the use, of, or in any such lands, tenements, or hereditaments, so executed, had, should, might or ought to have had, at the time of the execution of the estate therof, by the authoritie of this act, against any other person or persons, of, or for any waste, disseisin, trespass, condition broken, or any other offence, cause, or thing concerning or touching the said lands or tenements so executed by the authoritie of this act.

23 Provided also, and be it enacted by the authoritie aforesaid, that actions now depending against any person or persons, seised of, or in any lands, tenements, or hereditaments, to any use, trust or confidence, shall not abate, ne bee discharged, for or by reason of executing of any estate thereof by authoritie of this act, before the said first day of May, which shall be in the yere of our Lord God 1536. any thing contained in this act to the contrarie notwithstanding.

24 Provided also, that this act nor any thing therein contained, shall not bee prejudiciall to the kings highnes, for wardships of heires now being within age, nor for liveries, or for ouster le maine, to be sued by any person or persons now being within age,

age, or of full age, of any lands or tenements  
unto the same heire or heires now already  
descended, any thing in this act contained to  
the contrary notwithstanding.

25 Provided also, & be it enacted by the au-  
thoritie aforesaid; that all & singular recog-  
nitions heretofore knowledged; taken or  
made to the King, for or concerning any reco-  
nitions of any lands, tenements, or heredita-  
ments, heretofore used or had, by writ or  
writs of Entre upon disseisin en le poit, shall  
from henceforth be utterly void, & of none ef-  
fect to all intents, constructions & purposes.

26 Provided also, that this Act, nor any  
thing therein contained, be in any wise pre-  
judicial or hurtful to any person or persons  
born in Wales, or the marches of the same  
which shall have any estate to the executed  
by authoritie of this act, in any lands, tene-  
ments, or other hereditaments, within this  
Realme, whereof any other person or per-  
sons now stand or be seised, to the use of a-  
ny such person or persons borne in Wales,  
or in the marches of the same: but that the  
same person or persons borne in Wales or  
in the marches of the same, shall or may law-  
fully have, retaine or keepe the same lands,  
tenements or other hereditaments, wherof  
estate shall be so unto them executed by the  
authoritie of this act according to the tenor  
of the same, any thing in this act contained,  
or any other act or provision heretofore had  
or made to the contrary notwithstanding.

## Inrolments.

An act concerning Inrolments of Bargaines  
and Contracts of lands and tenements,

Anno 27.H.8.cap.16.

Inrolments 1.

**B**E it enacted by the authozitie of this  
pyesent Parliament, that from the last  
day of July, which shalbe in the yere of  
our Lord God 1536. no manors, lands, te-  
nements, or other hereditaments shal passe,  
alter, or change, from one to another, wher-  
by any estate of inheritance or freehold shal  
be made or take effect in any person or per-  
sons, or any vse therof to be made, by reason  
only of any bargain and sale therof, except  
the same bargain and sale be made by wryt-  
ting indented, sealed & inrolled in one of the  
kings courts of recozd at Westmynster, or  
else within the same Countie or Counties  
where the same manors, lands, or tenements  
so bargained & sold, lie or be, before the Cu-  
stos Rotulorum, and two Iustices of the  
peace, & the Clerke of the peace of the same  
countie or counties, or two of them at the  
least, whereof the Clerke of the peace to be  
one: And the same Inrolment to be had &  
made within six months next after the date  
of the same wrytings indented, the same  
Custos Rotulorum, or Iustices of the peace  
& Clerke, taking for the inrolment of every  
such wryting indented before them, when  
the land comprised in the same wryting ex-  
ceede not the yearly value of xl. shillings,  
ij. s. that is to say, xij. s. to the Iustices,  
and

and xij. s. to the Clerke, & for the inrolment of every such writing indented before them, wherein the land comprised exceed the summe of xl. s. yearly value v. s. that is to say, ij. s. vi. d. to the said Justices, and ij. s. vi. d. to the said Clerke for the inrolling of the same.

2 And that the Clerke of the peace for the time being, within every such County, shall sufficiently inroll & ingrosse in parchment the same deeds or writings indented, as is aforesaid, and the Writs therof, at the end of every yeare shall deliver unto the Custos Rotulorum of the same Countie for the time being, there to remaine in the custodie of the said Custos Rotulorum for the time being, amongst other records of every of the same counties, where any such inrolments shalbe so made, to the intent that every party that hath to do therewith may resort & see the effect & tenour of every such writing so inrolled.

3 Provided alwaies that this act, nor any thing therein conteyned, extend not to any manors, lands, tenements, or hereditaments, being or being within any Citty, Borough, or Towne corporate within this Realme, wherein the Mayors, Recorders, Chamberlains, bailiffs or other officer or officers have authority, or have lawfully used to inrol any evidences, deeds, or other writings within their precinct or limits: Any thing in this Act contained to the contrary notwithstanding. See after a Stat. made 34. H. 8. cap. 22. touching deeds inrolled in such Cities, &c.



## Partition.

¶ An Act concerning Iointenants, and Tenants in common, An 31. H.8. cap. 1.

### Partition 2.

**F**Orasmuch as by the common Lawes of this Realme, diuers of the Kings subiects, being seised of manors, lands, tenements, and hereditaments, as Iointenants, or as Tenants in common, with other of any estate of inheritance, in their owne rights, or in the right of their wives, by purchase, descent, or otherwise, & euery of them so being Iointenants, or Tenants in common, haue like right, title, interest or possession in the same manors, lands, tenements & hereditaments, for their parts & portions iointly or in common vndiuidedly together with other, & none of them by the law doth or may know their seuerall parts or portions in the same, or that that is his or theirs by it selfe vndiuided; and cannot by the Lawes of this Realme otherwise occupie or take the profits of the same, or make any scuerance, diuision, or partition thereof, without other of their mutuall assents and consents: by reason whereof diuers & many of them, being so iointly & vndiuidedly seised of the said manors, lands, tenements, & hereditaments, oftentimes of their peruerse, conetous, and malicious minds and wills, against all right, iustice, equity, & good conscience, by strength & power, haue not onely cut and selled downe all the woods & trees growing

growing upon the same, but also haue extirped, subuerted, pulled downe, & destroyed all the houses, edifications, and buildings, meadowes, pastures, commons, & the whole commodities of the same, & haue taken and conuerted them to their owne viles, and behaues, to the open wrong & disherison, and against the mindes and wills of other, holding the same manors, lands, tenements, & hereditaments, jointly or in common with them, and they haue bene alwaies without assured remedy for the same.

¶ Be it therefore enacted by the king our most dread soueraign Lord, and by the assent of the Lords spirituall & temporall, and by the commons in this present parliament assembled, that all Jointenants, & Tenants in common, that now be, or hereafter shall be, of any estate or estates of inheritance, in their owne rights, or in the right of their wiues, of any manors, landes, tenements, or hereditaments, within this Realme of England, Wales, or the marches of the same, shall and may be coacted and compelled by vertue of this present act, to make partition betwene them, of all such manors, lands, tenements, and hereditaments, as they now hold, or hereafter shall hold, as Jointenants, or tenants in common, by writ De Partitione facienda in that case to be deuised, in the king our soueraign Lords court of Chancery, in like maner & forme as Coparceners by the common Lawes of this realme, haue

## Monasteries.

been and are compelled to doe, and the same  
shalt to be pursued at the common law.

3 Prohibited alway, and be it enacted, that  
every of the said jointenants or tenants in  
common, and their heires, after such parti-  
tion made, shal and may have ayde of the o-  
ther, or of their heires, to the intent to de-  
reigne the warranty paramount, and to re-  
couer for the rate, as is used between copar-  
teners after partition made by the order of  
the common law, any thing in this act, con-  
tained to the contrarie notwithstanding.  
See after a Statute made 32. H. 8. cap. 32. tou-  
ching partition between tenants of particu-  
lar estates.

## Monasteries.

An Act wheyby religious houses are disso-  
ved, and their lands are assured to the King.  
And how Leases and graunts made of them  
shall take effect, ann. 31. H. 8. cap. 13.

### Monasteries 4.

**W**here divers and sundry abbots,  
priors, abbesses, prioresses, and o-  
ther ecclesiasticall governours and  
gouvernesses of divers monasteries, abba-  
thies, priories, nuntries, colledges, hospitals,  
houses of friers, & other religious & ecclesi-  
astical houses & places, within this our so-  
veraigne L. the R. realm of Engl. & Wales,  
of their owne free and voluntarie mindes,  
god

good wills, and assents without constraint, coercion, or compulsion of any manner of person or persons, sithen the 4. day of February, the xxviij. yeare of the raigne of our now most dread soveraigne lord, by the due order & course of the common lawes of this his realme of England, and by their sufficient writings of Record, under their consent and common seales, have severally given, granted, & by the same their writings severally confirmed, all their said monasteries, abbaties, priories, nuntries, colledges, hospitalls, houses of friers, & other religious and ecclesiasticall houses and places, & all their sites, circuits, & precincts of the same, & all & singular their manors, lordships, granges, messes, lands, tenements, meadowes, pastures, rents, reuerfions, services, woods, tithes, pensions, portions, churches, chapels, advowsons, patronages, annuities, rights, entries, conditions, commons, leets, courts, liberties, privileges, & franchises, appertaining or in any wise belonging to any such monastery, abbath, priory, nunnery, colledge, hospitall, house of friers, and other religious and ecclesiasticall houses and places, or to any of them, by whatsoever name or corporation they or any of them were then named or called, and of what order, habite, religion, or other kind of quality soever they or any of them then were reputed, known, or taken.

3 To have and to hold all the said monasteries.

## Monasteries.

series, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiasticall houses and places, sites, circuits, precincts, manors, lands, tenements, meadowes, pastures, rents, reuerſions, seruices, and all other the premises, to our said ſoueraigne Lord, his heires and ſucceſſors for ever, and the ſame their said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers & other religious & ecclesiasticall houses & places, sites, circuits, precincts, manors, lordships, granges, meales, lands, tenements, meadowes, pastures, rents, reuerſions, seruices, and other the premises voluntarily as is aforesaid, haue renounced, left, & forſaken, and euery of them hath renounced, left and forſaken.

3 We it therefore enacted by the king our ſoueraigne Lord, & the Lords ſpiritual and tempozall, and the commons in this preſent parliament aſſembled, & by authoritie of the ſame, that the king our ſoueraigne Lord ſhal haue, hold, poſſeſſe, & entoy to him, his heires & ſucceſſors for ever, all & ſingular ſuch late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, of what kinds, natures, qualities, or diuerſities of habites, rules, profeſſions or orders they or any of them were named, known, or called, which ſith the ſaid 4. day of February, the xxviij. years of the raigne of our said ſoueraigne

ſoueraigne Lord, haue bene diſſolued, ſup-  
 preſſed, renounced; relinquished, forfeited,  
 giuen by, or by any other meane come to  
 his highnes, and by the ſame authoritie, and  
 in like maner ſhall haue, hold, poſſeſſe, & en-  
 toy all the ſites, circuits, precincts, manors,  
 lordſhips, graunges, meales, landes, tene-  
 ments, meadowes, paſſures, rents, reuer-  
 ſions, ſeruices, woods, tythes, penſions, por-  
 tions, patronages appropried, vicarages,  
 churches, chappels, aduowſons, nomina-  
 tions, patronages, annuities, rights, inte-  
 reſtes, entries, conditions, [See 31. Hen. 8.  
 cap. 34.] commons, leetes, courts, liberties,  
 priuiledges, franchiseſ, & other whatſoever  
 hereditaimes, which apperteyned or belon-  
 ged to the ſaid late monaſteries, abbathies,  
 priories, nunries, colledges, hoſpitals, hou-  
 ſes of friers, & other religious or eccleſiaſti-  
 call houſes and places, or to any of them, in  
 as large and ample maner & forme, as the  
 late abbots, priors, abbeſſes, prioceſſes, and  
 other eccleſiaſticall gouernours & gouerneſ-  
 ſes, of ſuch late monaſteries, abbathies, pri-  
 ories, nunries, colledges, hoſpitals, houſes  
 of friers, & other religious & eccleſiaſticall  
 houſes & places, had, held, or occupied, or of  
 right ought to haue had, holden, or occupied  
 in the right of their ſaid late monaſteries,  
 abbathies, priories, nunries, colleges, hoſpi-  
 tals, houſes of friers, or other religious or  
 eccleſiaſtical houſes or places, at the time of  
 the ſaid diſſolution, ſuppreſſion, renouncing,  
 relin-

## Monasteries.

relinquishing, forseyting, giuing by, or by any other maner of meane coming of the same to the kings highnes, sithen the 4. day of februarye aboue specified.

4 And it is further enacted by the authoritie abovesaid, that not only all the said late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, sites, circuits, precincts, manors, lordships, granges, meases, landes, tenements, meadowes, pastures, rents, reuerfions, seruices, and all other the premises forthwith immediately & presently, but also all other monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and all other religious & ecclesiasticall houses & places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forseyted, giuen by, or by any other meane come vnto the kings highnesse, and also all the sites, circuits, precincts, manors, lordships, granges, meases, landes, tenements, meadowes, pastures, rents, reuerfions, seruices, woods, tythes, pensions, porcions, parsonages appropriate, vicarages, churches, chappels, aduowfons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, lets, courts, liberties, priuiledges, franchises and other hereditaments, whatsoeuer they be belonging or appertaining to the same, or any of them, whensoever & as soon as they shall be

be dissolved, suppressed, reconnced, relinquished, forfeited, given by, or by any other mean come to the R. highnes, shalbe vested, deemed, and adiudged by authoritie of this present parliament, in the very actual & real seison and possession of the King our soveraigne Lord, his heires and successors forever, in the state and condition as they now be, and as though all the said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, and all other religious and ecclesiasticall houses & places, so dissolved, suppressed, reconnced, relinquished, forfeited, given by, or come to the kings highnes as is aforesaid, as also the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiasticall houses, and places which hereafter shal happen to be dissolved, suppressed, reconnced, relinquished, forfeited, given by, or come unto the R. highnes, sites, circuits, precincts, manors, lordships, graunges, lands, tenements, & other the premises, whatsoever they be, & every of them, were in this present act specially & particularly rehearsed, named, & expressed by express words, names, titles, & faculties, & in their natures, kinds, and qualities.

And be it also enacted by the authoritie aforesaid, that all the said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious, & ecclesiasticall houses & places which bin dissolved



## Monasterie.

solued, suppressed, renounced, relinquished, given by, or come to the kings highnes, by any manner of meanes, as is aforesaid, and all the manors, lordships, granges, lands, tenements, and other the premises, (except such thereof as be comen to the R. hands by attainder or attainders of treasons) and all the said Monasteries, abbathies, priories, nuntries, colledges, hospitals, houses of friers, & other religio<sup>s</sup> & ecclesiastical houses or places, which hereafter shal happē to be dissolved, suppressed, renouced, relinquished, forfeited, given by, or come vnto the R. highnes, and all the manors, lordships, granges, lands, tenements, meadowes, pastures, rents, reuerfions, seruices, woods, tithes, portions, pensions, parsonages appropriet, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, leets, courts, liberties, priuileges, franchises, & other hereditaments whatsoeuer they be, belonging to the same, or to any of them (except such therof, which shal happen to come to the R. highnes by attainder or attainders of treason) shalbe in the order, suruey, & gouernance of our said soueraigne Lord the kings court of Augmentations of the reuenues of his crowne, & of the chancelloz, officers, & ministers of the same.

¶ And all the fermes, issues, reuenues, & profits comming & growing of the premises, & of enery part therof (except before excepted)

cepted) shalbe ordered, taken, & receined to the Kings vlie by the said Chancelloz, ministers, & officers of the same court, in such & like maner & forme, as the monasteries, priories, sites, circuits, manors, granges, messuages, lands, tenements, rents, reuerfions, seruices, tithes, p'sons, portions, aduowfons, patronages, rights, entries, conditions, and other hereditaments late appertaining or belonging vnto the monasteries, abbaties, priories, or other religious houses, late by authoritie of parliament suppressed, viz. 27. H.8. vt patet, but in Rastals collect' Monast. 9. bin ordered, furnished, and gouerned.

6 Shewing to all & enery person & persons, & bodies politike, & their heirs & successors, & the heirs & successors of all & enery of them, other then the said late abbots, priors, abbesses, prioresses, & other ecclesiasticall gouernors & gouernesses, of the said late Monasteries, abbaties, priories, nuntries, colledges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, & their successors, & the successors of enery of them, & such as pretend to be founders, patrons, or donoys of such monasteries, abbaties, priories, nuntries, colledges, hospitals, houses of friers, & other ecclesiasticall houses and places, or of any manors, messuages, lands, tenements, or other hereditaments, belonging to the same, or to any of them, their heirs & successors, and the heirs and successors of enery of such founder, patr,

## Monasteries.

of donors, and the now abbots, priors, abbesses, prioresses, & other ecclesiasticall governors, & governesses of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious & ecclesiastical houses & places, which hereafter shall happen to be dissolved, suppressed, renounced, relinquished, forfeited, given up or come to the kings highness, and such as pretend to be founders, patrons, or donors, of such Monasteries, Abbathies, priories, nuns, colledges, hospitals, houses of friers & other ecclesiastical houses & places, or of any manors, messuages, lands, tenements, or other hereditaments to the same belonging, or to any of them, their heires and successors, & the heires and successors of enery of them, all such right, title, claime, interest, possession, rents, charges, annuities, leases, fermes, offices, fees, liveries & livings, portions, pensions, copodies, commons, synodes, priories, & other profits, which they or any of them have, claime, ought, may, or might have had, in, or to the premises, or to any part or parcell thereof, in such like maner, forme & condition, to all intents, respects, constructions & purposes, as if this act had never bene had ne made, (rents services, rent secke, and all other services & suits only except.)

7 Provided alwaies, and be it enacted by the authoritie abovesaid, that if any late abbot, prior, prioress, abbess, or other ecclesiastical

all such governour or governess above said,  
 within one year next before the dissolution,  
 suppression, renouncing, relinquishing, for-  
 feiting, giving up, or coming to the king's  
 highness, of his late monastery, abbathie,  
 priorie, nunnrie, colledge, hospitall, house of  
 friers, or other religious or ecclesiastical  
 house or place, hath made any lease or grant,  
 under his count or common seal, or otherwise  
 for terme of life, or for terme of years, of the  
 site, circuit, & precinct of his said late mo-  
 nasterie, abbathie, priorie, nunnrie, colledge,  
 hospitall, house of friers, or other religious  
 or ecclesiastical house or place, or of any  
 part thereof, or of any manors, messuages,  
 granges, lands, tenements, parsonages ap-  
 propriate, tithes, pensions, portions, or o-  
 ther hereditaments, which belonged or ap-  
 pertained to his said late monastery, abba-  
 thie, priory, nunnrie, colledge, hospitall, house  
 of friers, or other religious or ecclesiastical  
 house or place, which manors, messuages,  
 granges, lands, tenements, parsonages  
 appropriate, tithes, pensions, portions, or  
 other hereditaments, were not before the  
 same lease commonly used to be set nor let  
 to terme, but kept & reserved in the main-  
 tenance, tillage, or occupation of the said go-  
 vernour or governess, for the maintenance  
 of hospitalitie and good house keeping: or  
 within one year, as is above said, hath made  
 any lease or grant for terme of life, or for  
 terme of years, or of any manors, messu-  
 ges,

## Monasteries.

ges, lands, tenements, meadowes, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chappels, or other hereditaments, whatsover they be, whereof, or in the which any estate or interest for terme of life, yeare or yeares, at the time of the making of any such grant or lease, then had his being or continuance, and the same was not determined, finished, or expired: or within the time of one yeere, as is abovesaid, hath made any lease or grant for terme of life, or for terme of yeares, of any manours, messuages, lands, tenements, meadowes, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chappels or other hereditaments whatsover they be, upon the which leases and grants, the small and old rents & services, accustomed to be payden & reserved by the space of xx. yeeres, next before the first day of this present parliament, is & be not, thereupon reserved & payden: Or if any such governour or governess, hath made any bargain or sale of his woods, within one yeere, as is aforesaid limited; which woods be yet growing & standing: that the all and several such lease, grant, bargain and sale of wood or woods, shall be utterly void and of none effect.

8 And it is also enacted by authority aforesaid, that all forestments, fines, and recoveries, had, made, knowledged or suffered, by any governour or governess, without the kings licence under the great scale, within  
one

one pere next befoze the dissolution, renouncing, relinquishing, forfeiting, giving up, or comming vnto the kings highnes of his said monasterie, abbathie, priorie, nunnrie, colledge, hospitall, house of friers, or other religious or ecclesiasticall house or place, or any manors, meases, lands, tenements, or other hereditaments, whatsoeuer they bee, which the said late abbot, prioz, abbesse, prioresse, and other ecclesiasticall gouernor or gouernesse, or any of them, or any of their predecessors had or held, or the gift, graunt or confirmation of our said soueraigne lord, or any of his highnesse progenitozs, or of the which monasteries, abbathies, priories, nunnries, colledges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, our said soueraigne Lord was founder or patron, or which manors, meases, lands, tenements or other hereditaments were of the auncient or olde foundation or possession of the said late monasteries, abbathies, priories, nunnries, colledges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places shall be utterly boide and of none effect.

¶ And it is farther enacted by the authoritie abovesaid, that if any abbot, prioz, abbesse, prioresse, or other ecclesiasticall gouernor or gouernesse of any monastery, abbathie, priorie, nunnrie, colledge, hospitall, house of friers, or other religious or ecclesiasticall house or place, which hereafter shall happen

## Monasterie's

to bee dissolved, suppressed, renounced, relinquished, forfeited, given by, or come to the kings highnes, within one yere next befoze the first day of this present Parliament, have made, or hereafter doe make any lease or grant vnder his conent or comon seale, or otherwise for terme of yeares, or life, or liues, of the site, circuit, and precinct of his said monasterie, abbathie, priorie, nunnery, colledge, hospital, house of friers, or other religious or ecclesiasticall house or place, or of any part thereof, or any manors, messuages, lands, tenements, parsonages appropriate, tithes, pensions, portions, or hereditaments belonging or appertaining to his said monasterie, abbathie, priorie, nunnery, colledge, hospital, house of friers, or other religious or ecclesiasticall house or place: which manors, messuages, graunges, lands, tenements, parsonages appropriate, tithes, pensions, portions, and other hereditaments, whatsoener they bee, were not befoze the same lease, commonly bled to bee let or let to ferme, but kept and reserved in the manurance, tillage, or occupation of the said gouvernour or governess, for the maintenance of hospitalitie and good house keeping, or now be in the manurance, tillage, or occupation of the said gouvernour or governess, for the maintenance of hospitalitie and good house keeping, or within one yere next befoze the first day of this present parliament, hath made, or hereafter shall make any

any lease or graunt for terme of life, or for  
terme of yeares, of any manors, meases,  
landes, tenements, meadowes, pastures,  
woods, parsonages appropriate, tithes, pen-  
sions, portions, churches, chappels, or other  
hereditaments whatsoever they be, wherof  
and in the which any estate or interest for  
terme of life, yeare or yeares, at the time  
of the making of any such graunt or lease,  
then had his being or continuance, or here-  
after shall have his being or continuance,  
and that was not determined, finished, or  
expyred, or at the time of any such lease to  
be made, shall not be determined, finished, or  
expyred, or within one yeare next before the  
first day of this present Parliament, hath  
made, or hereafter shall make any Lease or  
grant for terme of life, or for term of yeares,  
of any manors, meases, lands, tenements,  
meadowes, pastures, woods, parsonages ap-  
propriate, tithes, pensions, portions, churches,  
chappels, or other hereditaments what-  
soever they be, upon the which Leases and  
graunts the vsuall and old rents & termes,  
accustomed to be payden & reserved by the  
space of xx. yeares, next before the said first  
day of this present parliament, is or be not,  
or hereafter shall not be therupon reserved  
& payden: Or if any such gouernor or go-  
uernesse, of any such monasterie, abbatie,  
priory, nunnery, colledge, hospitall, house of fri-  
ers, or other religious or ecclesiastical house  
or place, which hereafter shall happen to be



## Monasteries.

dissolued, suppressed, renounced, relinquished, forfeited, given vp, or come to the kings highnesse, within one yeare, next befoze the first day of this present Parliament, hath made, or hereafter shal make any bargain or sale of his woods, which woods be yet growing & standing: that then all & every such lease, graunt, bargain, and sale of wood or woods, shalbe utterly void & of none effect.

10 And it is also enacted by the authoritie aforesaid, that all feoffements, fines, and recoveries, had, made, knowledged, or suffered, within one yeare next befoze the first day of this present parliament, or hereafter to be had, made, knowledged or suffered, by any gouernor or gouernesse, of any monastrie, abbacie, priorie, nunnrie, colledge, hospitall, house of friers, or other religious or ecclesiasticall house or place, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, given vp, or come to the kings highnesse, without the kings licence vnder his great seale, of any manors, messuages, lands, tenements, or other hereditaments whatsoeuer they be, which the said abbots, priors, abbesses, prioresses, and other ecclesiasticall gouernors & gouernesses, which hereafter shall happen to be dissolued, suppressed, relinquished, forfeited, given vp, or come vnto the kings highnesse, as is aforesaid, or any of them, or any of their predecessors had, or held, or haue and hold of the gift, graunt, or confirmation of our said soveraigne

ueraigne Lord, or of any of his highnesse progenitozs, or of the which monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious & ecclesiasticall houses & places, our said soueraigne Lord is founder, or patron, or which manors, meases, lands, tenements, or other hereditaments, were, or be of the auncient or olde foundation, or possession of the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, shall be utterly void and of none effect.

II Provided alway, and be it enacted by authoritie abovesaid, that if any abbot, prior, abbesse, or prioressse, or other gouernor or gouerneffe abovesaid, within one yeare next befoze the first day of this present parliament, or if any late abbot, prior, abbesse, prioressse, or other late gouernor, or gouerneffe abovesaid, within one yere next befoze any such dissolution, suppression, renouicing, relinquishing, forfeiting, giuing by, or committing to the kings highnes of the premises, or of any parcell therof, as is aforesaid, have made any demise, lease, or graunt, to any person or persons, for terme of yeres, of any manors, meases, lands, tenements, parsonages appropziate, tithes, pensions, portions, or other hereditaments aforesaid, which person or persons at the time of the said demise, lease, or graunt, had & held the same to ferme for terme of yeres then not expyred:

## Monasteries.

that then þe said person or persons to whom any such demise, lease, or graunt hath bin so made, shall haue & hold þe same for the terme of xxj. yeares onely, from the time of the making of the said demise, lease, or graunt, if so many yerres be by the same demise, lease, or graunt, specified, limited & expessed, or else for so many yerres as in such demise, lease, or graunt ben expessed, so that the old rent be thereupon reserved, & so þe same lease or leases exceed not xxj. yerres: this act or any thing therein contained to the contrary notwithstanding. See Plow. Corn fol. 106. and after, Fulmerston and Stewards case.

12 Provided also, and be it enacted by the authoritie abovesaid, that if any abbot, prior, or abbesse, prioress, or other late governour or governess, within one yeare next befoze any such dissolution, suppression, denouncing, relinquishing, forfeiting, giving up, or comming unto the Kings highnesse of the premises, or of any parcell thereof, as is aforesaid, haue made any demise, lease, or graunt, to any person or persons, for terme of life, or lines, of any manors, meases, lands, tenements, parsonages appropriate, tythes, pensions, portions, or other hereditaments aforesaid, which person or persons, or any of them, at þe time of the said demise, lease, or grant, had & held the same for terme of life or lines, or for term of yerres then not expyed: that then the said person or persons, to whom any such lease or grant hath ben

ben so made, shall haue & hold the same for  
terme of their life or liues, so that the olde  
rent be thereupon reserved: this act, or any  
other thing therein conteyned to the contra-  
rie thereof notwithstanding.

13 Provided also, & be it enacted by the au-  
thority aforesaid, that all & singular leases &  
grants made by copy to any person or per-  
sons, of any of the said messuages, lands, tene-  
ments, parsonages appropriet, tithes, pen-  
sions, portions, or other hereditaments aforesaid, for terme of life or liues, which by the  
custom of the country had bin vsed to be de-  
mised, letten or granted by copy of court rol,  
shalbe good & effectual in the law, so the old  
rēt be reserved, by & vpon every such lease &  
leases: this act or any thing therein contained  
to the contrary in any wise notwithstanding.

14 Provided alsway, and be it further ena-  
cted by the authority aforesaid, that all leases  
heretofore made of any the premises, by au-  
thority of our soueraigne Lo. the R. Court  
of Augmentations of the revenues of his  
Crowne, and all such leases, leasements,  
and woodsales, made by the said gouernors  
and gouernesses, or any of them, vnder their  
couent leases, or vnder the couent or com-  
mon seale of any of them, within one yeare  
next before the dissolution, suppression, re-  
nouncing, relinquishing, forfeyting, giuing  
up, or committing to the kings highnes, of the  
said monasteries, abbathies, priories, nun-  
tries, colledges, hospitals, houses of friers, or  
other

## Monasteries.

other religious and ecclesiasticall houses or places, which said leases, grants, scoffments, & woodsales, haue bene examined, inrolled, decreed, or affirmed, in our said Soveraign Lord the Kings court of Augmentations, & the decree of the same put in writing, sealed with the seal of the said court of augmentations, shalbe good & effectuell, according to the same decree: Any clause or act heretofore in this present act, to the contrary notwithstanding.

It is provided alway, and be it also further enacted by the authoritie abovesaid, that if any person or persons, have wilfully & truely, without fraud or covin, payed, or given any summe or summes of money to any the said late governours or governesses, for the bargain & sale of any woods, being & growing in or upon any manors, landes, tenements, or hereditaments, which appertained or belonged to the said late monasteries, abbaties, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiasticall places, or unto any of them, which bargain & sale, by authoritie of this act, is made void & of none effect, & by mean thereof, the kings highnes may have & take the commodity & profit of such woods, so bargained and sold: that then the Chancelloz, & other officers of our said Soveraign Lord the Kings Court of Augmentations, or thre of them, wherof the Chancelloz for the time being shall be one, of our said Soveraign Lord the Kings

kings treasure, remayning in the tresorie of the same Court, shall satisfie & recompence every such person & persons, such summe of money, or other recompence, as the same Chauncelloz and officers, or thre of them, whereof the said Chauncelloz shall be one, shall thinke mete & convenient. And if any other person or persons, shall happen to take profite & commoditie, by reason of auoyding of such wood sales, by authoritie of this act, that then every person and persons, which may or shall take such profite, shall be ordered for satisfaction to be made to the parties, that shall happen to be grieved by this Act, by the said Chauncelloz and other the officers of the same Court.

16 Provided also, & be it further enacted by the authoritie abovesaid, that all & every person and persons, their heires & assignes, which sithen the said 4. day of Februarie, by licence, pardon, confirmation, release, assent, or consent of our said Soueraign Lord the king, vnder his great scale heretofore given, had, or made, or hereafter to be had or made, have obtained, or purchased, by indenture, fine, feoffment, recovery or otherwise, of the said late abbots, priors, abbesses, prioresses, or other governours or governesses of any such monasteries, abbathies, priories, nuries, colleges, hospitals, houses of friers, or other religious & ecclesiasticall houses or places, any monast. priories, colledges, hospitals, manors, lands, tenements, meadows, pastures,

## Monasteries.

pastures, woods, churches, chappels, parsonages, tithes, pensions, portions, or other hereditaments, shall have & enjoy the same, according to such writings & assurances, as bin therof befoze the first day of this present parliament, or hereafter shalbe had or made.

17 Saving to all & every person & persons, & bodiees politike, their heires & successours, & to the heires & successours of every of them, (other then the said late abbots, abbessees, priors, prioresses & other gouvernor & governesses, & their successours, and the successours of everie of them, and such as pretend to be founders, patrons, or donours of the said monasteries, abbathies, priories, nurries, colledges, hospitals, and other religious or ecclesiasticall houses or places, or of any of them, or of any manors, messuages, landes, tenements, or other hereditaments, late belonging to the same or to any, of them, & their heires, successours, & the heires & successours of every such founder, patron, or donour) all such right, title, interest, possession, reits, annuities, commodities, offices, fees, liveries, and livings, portions, pensions, cozodies, synodes, priories, & other profits, which they or any of them have, ought, or mought have had, in or to any of the said monasteries, abbathies, priories, colledges, hospitals, manors, landes, tenements, rents, services, reuerfions, tithes, pensions, portions, or other hereditaments, at any time befoze any such purchase, indentures, fines, feoffements, recoveries,

comeries, or other lawfull meane, betwixne any such parties, had or made, as abovesaid: this act or any thing therein contained to the contrarie notwithstanding.

18 And where our said soueraigne lord sith the fourth day of February, the said 27. yeare of the raigne of our said soueraigne Lord, hath obtained and purchased, aswell by exchanges, as by gifts, bargaines, fines, feoffements, recoueries, &c. inrolled, & otherwise, of diuers and sundrie persons, many and diuers honours, castles, manors, landes, tenements, meadowes, pastures, woods, rents, reuerfions, seruices, & other hereditaments, and hath not onely payed diuers and sundrie great summes of money for the same, but also hath giuen and grated for the same, vnto diuers and sundrie persons, diuers and sundrie manors, landes, tenements, and hereditaments, and other recompences, in, and for full satisfaction of all such honours, castles, manors, landes, tenements, refts, reuerfions, seruices, and other his hereditaments, by his highnesse obtained or had, as is abovesaid.

19 Be it therfore enacted by the authority abovesaid, that our said Soueraigne Lord the King, his heires and successors, shall haue, hold, possede, and enioy all such honours, castles, manors, landes, tenements, and other hereditaments, as his highnesse sith the said 4. day of February, the 27. yers abovesaid, hath obtained and had by way of exchange,



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exchange, bargain, purchase, or other what-  
soever meane or meanes, according to the  
true meaning & intent of his highnes bar-  
gaine, exchange, or purchase, misrecitall,  
misnaming, or nonrecitall, or not naming of  
the said honours, castles, manours, lands,  
tenements, and other hereditaments, com-  
prised, or mentioned in the bargaines or  
writings, made betwene the kings high-  
nesse, and any other partie or parties, or of  
the townes or counties, where the said ho-  
nours, castles, manours, lands, tenements,  
and hereditaments, lye & been, or any other  
matter or cause whatsoever it bee in any  
wise notwithstanding.

20 Having to all and every person and  
persons, and to their heires, bodies politike  
and corporate, and to their successours, and  
to every of them (other then such persons and  
persons, and their heires, and their wives,  
and the wives of every of them, bodies po-  
litike and corporate, and their successours,  
and every of them, of whom the kings high-  
nes hath obtained, by exchange, gift, bar-  
gaine, fine, feoffment recoverie, deed, en-  
rolled, or otherwise, any such honours, ca-  
stles, manours, lands, tenements, and other  
hereditaments, as is aforesaid,) all such  
right, title, vse, interest, possession, rents,  
charges, annuities, commodities, fees, and  
other profits, (rents services, and rents  
seckes onely except) which they or any of  
the have, might, or ought to have had, in, or

to the premises so obtained & had, or in, or to any parcel thereof, if this act had never been had, nor made: this present act or any thing therein contained to be contrary notwithstanding

21 And where it hath pleased the kings highness of his most abundant grace and goodness, as well upon divers & sundry considerations his maiestie specially moving, as also otherwise, to have bargained, sold, changed, or given and granted by his graces several letters patents, indentures, or other writings, as well under his highness great seale, as under the seale of his highness Duchie of Lancaster, & the seale of the office of the Augmentations of his crowne, unto divers & sundry of his loving & obedient subjectes, divers and sundry honours, castles, manours, monasteries, abbathies, priories, lands, tenements, rents, reuerfions, services, parsonages appropriated, advowsons, liberties, tithes, oblations, portions, pensions, franchises, privileges, liberties, and other hereditaments, commodities, and profits, in fee simple, fee taile, for terme of life, or for terme of yeares.

22 For avoiding of which said Letters Patents, and of the contents of the same, divers, sundry, & many ambiguities, doubts and questions might hereafter arise, be moved, & stirred, as well for unrecital, or non-recital, as for divers other matters, things or causes to be alledged, objected, or intended against the said letters Patents, as also for

## Monasteries.

for lacke of finding of offices or inquisition, wherby the title of his highnes therein sought to haue bene found, befoze the making of the same letters patents, or for misrecital, or nonrecital of leases, as well of record, as not of record, or for lacke of the certainty of the values, or by reason of misnaming of the honours, castles, manors, monasteries, abbathies, priories, lands, tenements, and other hereditaments, comprised and mentioned within the same letters patents, or of the towne and counties, where the same honours, castles, manors, monasteries, abbathies, priories, lands, tenements, rents, and other hereditaments, lyen and bene, as for diuers and sundry other suggestions & surmises, which hereafter might happen to be moued, surmised, & procured against the same letters patents, albeit the wordes in effect, contained in the said letters patents be according to the true intent & meaning of his most roiall maiestie.

23 Be it therfoze enacted by the authoritie of this present Parliament, that aswell all and euery the said letters Patents, Indentures, or other writings, and eneries of them, vnder the seale or seales abovesaid, or any of them made or granted by the Kings highnes, sithen the said fourth day of February, the said xxvij. yeare of his most noble raign, as all and singular other his graces letters Patents, Indentures, or other writings to be had, made, or granted to any person

person or persons, within iij. yeares next after the making of this present act, of any honours, castles, manours, monasteries, abbaties, priories, nunnies, colledges, hospitalls, houses of friers, or other religious or ecclesiasticall houses or places, sites, circuites, precincts, lands, tenements, parsonages, tithes, pensions, portions, advowsons, nominations, & all other hereditaments, and possessions, of what kind, nature or qualitie soever they be, or by whatsoever name or names they or any of them be named, known, or reputed, shal stand & be good effectually, & available in the law of this realme, to all respects, purposes, constructions, and intents against his maiestie his heires and successours, without any other licence, dispensation, or tolleration, of the Kinges highnesse, his heires and successours or of any other person or persons whatsoever they be, for any thing or things contained or hereafter to be contained in any such letters patentes, indentures, or other writings: any cause, consideration, or thing materiall, to the contrary in any wise notwithstanding.

24 Having to all and singular persons, bodies politique & corporat, their heires and successours, and the heires and successours of every of them, (other then his highnesse his heires and successours, and the said governors & governesses, & their successours, donors, founders, & patrons aforesnamed,

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and

## Monasterie.

and their heirs & successors, & all other persons claiming in their rights, or to their use or in the right, or to the use of any of them) all such right, title, claim, interest, possession, reversion, remainder, offices, annuities, rents, charges, and commons, which they or any of them, have, ought, or might have had, in or to any of the said honours, castles, manors, monasteries, abbathies, priories, lands, tenements, & other hereditaments in the said letters patents made, or hereafter to be made, comprised, at any time before the making of the same, or such letters patents: this act or any thing therein contained to the contrary notwithstanding.

25 And where divers & sundrie abbots, priors, abbesses, prioresses, and other ecclesiasticall governours or governesses, of the said late monasteries, abbathies, priories, nunnies, colleges, hospitals, houses of friers, and other religious & ecclesiasticall houses & places, have had, possessed, and enjoyed divers and sundry parsonages appropriated, tithes, pensions, & portions, and also were acquitted and discharged, of and for the payment or paymētts of tithes to be paid, out of or for their said monasteries, abbathies, priories, nunneries, colleges, hospitals, houses of friers, and other religious & ecclesiasticall houses & places, manors, messuages, lands, tenements and hereditaments.

26 Be it therfore enacted by the authority abovesaid, that aswell the King our Sovereign

the date  
of the  
discharge  
the  
monasteries  
governesses  
had, he  
or his  
the date

raigne Lord, his heires & successors, as all  
and every such person & persons their heirs &  
assignes, which have, or hereafter shall have  
any monasteries, abbathies, priories, nun-  
tries, colledges, hospitals, houses of friers,  
or other ecclesiastical houses or places, sites,  
circuits, pzeimats of the same, or of any of  
them, or any manors, messuages, parsonages  
appropriate, tithes, pensions, portions, or  
other hereditaments whatsoever they bee,  
which belonged or appertained, or which  
now belong or appertaine unto the said mo-  
nasteries, abbathies, priories, nuntries, col-  
ledges, hospitals, houses of friers, or other  
religious or ecclesiastical houses or places,  
or unto any of them, shall have, hold, retain,  
keep, and enjoy, as well the said parsonages  
appropriate, tithes, pensions, and portions,  
of the said monasteries, abbathies, priories,  
nuntries, colledges, hospitals houses of fri-  
ers, and other religious and ecclesiastical  
houses & places, sites, circuits, pzeimats,  
manors, messuages, lands, tenements, & other  
hereditaments whatsoever they be, & every  
of them, according to their estate and titles,  
discharged and acquitted of payment of ty-  
thes, as freely, and in as large and ample  
manner, as the said late abbots, priors, ab-  
besses, prioresses, and other ecclesiastical  
governors and governesses or any of them  
had, held, occupied, possessed, used, retained,  
or enjoyed the same, or any parcel thereof, at  
the daies of their dissolution, suppression,

## Monasterie.

renouncing, relinquishing, forfeiting, giving  
bp, or comming to the kings highnesse, of  
such Monasteries, abbathies, priories, nū-  
ries, colledges, hospitals, houses of friers, or  
other religious or ecclesiasticall houses or  
places, or at the day of the dissolution, sup-  
pression, renouncing, relinquishing, giving  
bp, or comming to the kings highnesse of  
any of them: This act, or any thing therein  
contained to the contrary notwithstanding  
Anno 32. H. 8. cap. 7.

27 Having to the kings highnesse, his  
heires and successors, all, and all maner of  
rents, services, and other dueties, whatso-  
ever they be, as if this Act had neuer been  
had nor made.

28 And be it further enacted by authori-  
ty of this present parliament, that such of the  
said late monasteries, abbathies, priories,  
nuries, colledges, hospitals, houses of fri-  
ers, and other religious, and ecclesiasticall  
houses and places, and all Churches and  
Chappels to them, or any of them belong-  
ing, which befoze the dissolution, suppressi-  
on, renouncing, relinquishing, forfeiting, gi-  
ving bp, or comming unto the kings high-  
nesse, were exempted from the visitation or  
visitations, and all other iurisdiction of the  
Ordinarie or Ordinaries; within whose  
Diocess they were situate, or set, shall from  
hencefozth be within the iurisdiction & vi-  
sitation of the Ordinarie or Ordinaries,  
within whose diocess they or any of them  
be

be situate and set, or within the iurisdiction and visitation of such person or persons, as by the Kings highnesse shall be limited or appointed: this Act, or any other exemption, libertie, or iurisdiction, to the contrarie notwithstanding, &c. A confirmation of the Duke of Northfolke his purchase of Sipton Monasterie, and of the Lord Cobhams purchase of Cobham Chaunterie.

Wills.

An Act how by the Kings grant, lands, tenements, &c. may be by Will, Testament, or other wise disposed, and concerning Wardes, and primer seifins, 32.H.8.cap.1.

Wills 2.

**W**here the kings most royal Ma-  
iesty, in all & time of his most gra-  
cious and noble raigne, hath ever  
ben mercifull, louing, and benenolent, and  
most gracious soweraign Lord unto all and  
singular his louing & obedient subjects, and  
by many times past, hath not onely shewed  
& imparted to them generally, by his many  
and often great & beneficiall pardons here-  
tofoze by authorities of his Parliaments  
granted, but also by diuers other wayes  
and meanes, many great and ample grants  
and benignities, in such wise as all his said  
subjects, bin most bounden, to the uttermost  
of all their powers & graces by them recei-



## Wills.

men of God, to render & giue vnto his Ma-  
iestie their most humble reuerence and obe-  
dient thanks & seruices, with their daily &  
continuall prayer to almightie God, for the  
continuall preservation of his most royall  
estate, in most kingly honour & prosperitie:  
yet alwayes his maiestie being repleat and  
indowed by God, with grace, goodnesse, & li-  
beralitie, most tenderly considering that his  
said obedient and louing subiects cannot vie  
or exercise themselves, according to their es-  
tates, degrees, faculties and qualities, or to  
beare themselves in such wise as they may  
conueniently keepe and maintain their ho-  
pitalities and families, nor the good educa-  
tions and bringing vp of their lawfull gene-  
rations, which in this Realme, land be to  
God, is in all parts verie great and abun-  
dant, but that in manner of necessitie, as by  
daily experience is manifested and known,  
they shall not be able of their proper goods,  
cottels, and other moneable substance, to  
discharge their debts, & after their degrees  
set forth and aduance their children and po-  
steritie.

2 Wherefore, our said Soueraigne Lord  
most vertuously considering the mortallitie  
that is to euerie person, at Gods will and  
pleasure, most common and vncertaine, of  
his most blessed disposition and liberali-  
tie, being willing to relieue and helpe his  
said Subiects in their said necessities and  
debilitie, is contented and pleased, that it be  
ordered

ordained, and enacted by authoritie of this  
 present Parliament, in maner & forme as  
 hereafter folloiweth: that is to say, That  
 all and euery person & persons, hauing, or  
 which hereafter shall haue any manors,  
 lands, tenements, or hereditaments, holden  
 in Socage, or of the nature of Socage te-  
 nure, & not hauing any manors, lands, te-  
 nements, or hereditaments, holden of the  
 king our soueraigne Lord by knights ser-  
 uice, or by socage tenure in chiefe, or of the  
 nature of socage tenure in chiefe, nor of any  
 other person or persons by knights seruice,  
 from the xx. day of July, in the yeare of our  
 Lord God, M. v. C. & xl. shall haue full and  
 free libertie, power, and authoritie, to giue,  
 dispose, sell, and bequeath, as well by his last  
 wil & Testament in writing, or otherwise,  
 by any act or acts lawfully executed in his  
 life, all his said manors, lands, tenements,  
 or hereditaments, or any of them, at his free  
 will and pleasure: Any law, statute, or other  
 thing heeretofore, had, made, or vied, to the  
 contrary notwithstanding.

3 And that all and euery person and per-  
 sons, hauing manors, lands, tenements, or  
 hereditaments, holden of the king our soue-  
 raigne Lord, his heires or successors in so-  
 cage, or of the nature of Socage tenure in  
 chiefe, and hauing any other manors, lands,  
 tenements, or hereditaments, holden of any  
 other person or persons, in Socage, or of  
 the nature of socage tenure, and not hauing

## Wills.

any manors, lands, tenements, or hereditaments, holden of the King our soueraigne Lord, by Knights service, or of any other Lord or person by like service, from the xx. day of July, in the said yeare of our Lord God, M. lxx. and forty, shall haue full and free libertie, power, and authoritie, to giue, will, dispose, and deuise, as well by his last will or testament in writing, or otherwise, by any act or acts lawfully executed in his life, all his said manors, lands, tenements, and hereditaments, or any of them, at his free will and pleasure: Any Law, statute, custome, or other thing, heretofore had, made or vsed to the contrarie notwithstanding.

4. Having alway, & referring to the King our Soueraigne Lord, his heires and successors, all his right, title, and interest of primer seisin, and relictens, and also all other rights, and duties, for tenure in socage, or of the nature of Socage tenure in chiefe, as heretofore hath bene vsed and accustomed: the same manors, landes, tenements, or hereditaments, to be taken, had, and sued out of, and from the hands of his highnesse, his heires and successors, by the person or persons, to whom any such manors, lands, tenements or hereditaments, shall be disposed, willed, or deuised, in such and like manner and forme, as hath bene vsed by any heire or heires, before the making of this statute.

5 And saving and reserving also, fines for alienations, of such manors, landes, tenements, or hereditaments, holden of the king our soveraigne Lord, in socage or of the nature of Socage tenure in chiefe, whereof there shall be any alteration of frehold or inheritance made by will or otherwise as is aforesaid.

6 And it is further enacted by authoritie aforesaid, that all & singular person & persons, having any manors, landes, tenements, or hereditaments, of estate of inheritance, holden of the Kings highnesse in chiefe by Knights service in chiefe from the said xx. day of July, shall have full power & authoritie by his last will by writing, or otherwise by any act or acts lawfully executed in his life, to give, dispose, will, or assigne, two parts of the same manors, landes, tenements, or hereditaments, in three parts to be divided, or els as much of the said manors, landes, tenements, or hereditaments, as shall extend or amount to the yearely value of two parts of the same in three parts to be divided in certaintie, & by special divisions, as it may be knownen in severaltie, to and for the advancement of his wife, preferment of his children, and payment of his debts, or otherwise at his will and pleasure: any law, statute, custom, or other thing to the contrary thereof notwithstanding.

7 Saving & reserving to the king our soveraigne Lord, the custodie, wardship and primer

## Wills.

primer seisin, or any of them, as the case shall require, of as much of the same manors, lands, tenements, or hereditaments, as shall amount and extend to the full & cleere pecery value of the third part thereof, without any diminution, dowter, fraud, comine, charge, or abridgement of any of the same third part, or of the full profits thereof.

8 Having also and reserving to the king, our soueraigne Lord, all fines for alienations, of all such manors, lands, tenements, and hereditaments, holden of the King by knights service in chiefe, wherof there shall be any alteration of frehold or inheritance, made by will or otherwise, as is abovesaid.

9 And be it enacted by authozity aforesaid, that all & singular person & persons, having manors, lands, tenements, or hereditaments, of estate of inheritance, holden of the king in chiefe by knights service, and having other manors, lands, tenements, or hereditaments holden of the king or of any other person or persons by knights service, or otherwise, every such person & persons, fro þe said xx. day of July, shall have full power & authozity to give, dispose, will, or assigne by his last will in wytyng, or otherwise, by any act or actes lawfully executed in his life, two partes of the same manors, lands, tenements, or hereditaments in thre partes to be divided, or els as much of þe same manors, lands, tenements, & hereditaments as shall extend or amount to the pecery value of 2. partes of the same

same in 3. parts to be deuised in certainty,  
e by speciall diuisions, as it may be known  
in senerality, to e for the aduancement of his  
wife, p<sup>r</sup>fermēt of his children, e paymēt of  
his debts o<sup>r</sup> otherwise, at his will e pleasure;  
any law, statute, custome, o<sup>r</sup> other thing to  
the contrary thereof notwithstanding.

10 Having alway and reseruing to the R.  
our Soueraigne Lord the custodie, ward-  
ship and p<sup>r</sup>imer seisin, o<sup>r</sup> any of them as the  
case shal require, of as much of the same ma-  
no<sup>r</sup>s, landes, tenements, o<sup>r</sup> other heredita-  
ments, as shal amount e extend to the full  
e clere pearely value of the thirde part ther-  
of, without any maner diminution, dow<sup>r</sup>,  
fraud, couin, charge, o<sup>r</sup> sub<sup>r</sup>ation of the  
same thirde part, o<sup>r</sup> of the full p<sup>r</sup>ofits therof.

11 Having alway e reseruing to our said  
soueraigne Lord the king, all fines for alie-  
nations of all such man<sup>r</sup>s, landes, tenements  
o<sup>r</sup> hereditaments, holden of the King by  
knights service in chiefe, wherof there shal  
be any alteration of frehold o<sup>r</sup> inheritance,  
made by will o<sup>r</sup> otherwise, as is abovesaid.

12 Be it further enacted by the authori-  
tis abovesaid, that if any person o<sup>r</sup> persons  
hold man<sup>r</sup>s, landes, tenements, o<sup>r</sup> heredita-  
ments, onely of any other Lord o<sup>r</sup> person  
then of the king our said Soueraigne Lord,  
by knights service, and other landes and te-  
nements in socage, o<sup>r</sup> of the nature of socage  
tenure; that then euery such person shal  
o<sup>r</sup> may give, dispose, o<sup>r</sup> assure by his last will

## Wills.

or otherwile, by any act or acts lawfully executed in his life, two parts of the said manors, lands, & tenements holden by knights service, or of as much thereof as shal amount to the full yearly value of two parts, in manner and forme as is above declared. And also all the lands and tenements holden by socage, or of the nature of Socage tenure, as his will and pleasure, as is above written.

13 Having & reserving to the Lord of the lands & tenements holden by knights service, for his custody & wardship, as much of the same lands, and tenements as shal extend or amount to the full and cleere yearly value of the third part of the same lands & tenements holden by knights service, without any diminution, dowry, fraude, couin, charge, or subtraction of any portion of that third part, or of the cleere yearly value thereof, in maner and forme aforesaid.

14 And be it further enacted by the authority abovesaid, that if any person or persons hold any manors, lands, tenements, or hereditaments, onely of the king our soueraigne Lord by knights service, and not in chiefe, or hold any manors, lands, tenements, or hereditaments of our said soueraigne Lord by knights service, and not in chiefe, and also hold other manors, lands, tenements, and other hereditaments of any other person or persons by knights service, and also hold other manors, lands, tenements or he-  
redit-

reditaments, of any other person or persons in socage, or of the nature of socage tenure, that the all and enery such person and persons, shall and may give, dispose, will, devise & assure, by his last wil or otherwise, by any act or acts lawfully done & executed in his life, 2. parts of the same manors, lands, tenements & hereditaments, holden of our said soueraigne Lord the King by knights service, & two parts of the manors, lands, tenements & hereditaments, holden of any other person or persons by knights service, or as much of either of them as shal amount to the ful yerely value of two parts, in manner and forme as is above declared: & also all his lands and tenements so holden in socage, or of the nature of socage tenure at his free will and pleasure.

15 Saving and reserving to the Kings highnes, the custody & wardship of as much of the same manors, lands, tenements, or other hereditaments, as shall extend and amount to the ful & cleere yerely value of the thirde part of the said manors, lands, tenements & hereditaments so holden of his highnes by knights service, without any diminution, dowry, fraud, couin, charge, & subtraction of any portion of that thirde part, or of the full profits thereof.

16 And also saving and reserving to the Lords of whom any of the said manors, lands, tenements, or other hereditaments bein holden by knights service, for custody & wardship,



## Wils.

wardship, as much of the same manors, lands, tenements, or hereditaments holden of them, or any of them by knights service, as shall extend & amount to the full & cleere yearly value of the third part of the same, without any diminution, charge, fraud, couin or subtraction of any portio of that third, or of the cleere yearly value of the third part thereof, in maner & forme aboue declared.

17 Provided alway, & be it further enacted by the authoritie aforesaid, that if that third part of the manors, lands, tenements, or hereditaments, of any of the kings subjects, which in any of the cases abovesaid, shall hereafter come to the kings highnesse, his heires or successours, by vertue of this act, as is abovesaid, be not, or do not amount to the cleere yearly value of the third part of all the said manors, lands, tenements, or other hereditaments, whereof the R. highnesse is or shall be intituled to have the custodie, or primer seisin, as is abovesaid: that then our said soueraigne Lord, & his heires shal & may at his or their free liberty & pleasure take into his or their hands and possession, as much of the other two parts of the said manors, lands, tenements, & other hereditaments, as with that of the same manors lands, tenements, or hereditaments holden, remaining in the R. hands, shall make up the cleere yearly value of the full third part of the said manors, lands, and tenements so to be had to the Kings highnesse in title of ward.

wardship & primer seisin, or any of the, as the case shal require, & like benefit & advantage to be given to every Lord & Lords, of whom any such manors, lands, tenements, or hereditaments, be or shalbe holden by knights service, as is abovesaid, concerning only his 1<sup>st</sup>. part, of, or for title of wardship.

18 Provided alway, & be it further enacted by the authoritty aforesaid, that euery person & persons shal sue their liveryes, for possessions, reuerfions, or remainders, & also pay relieves & heriots, after such manor and forme as they shoul or ought to haue done, befoze the making of this act, and as if this act had neuer been made. And the fines for alienations shalbe paid in the kings Chancery, for & vpon writs of Entre in & Post to be obtained in the same court of Chancery, after the said 20. day of July, for common recoveries to be had or suffered of any manors, lands, tenements, or hereditaments, holden of the K. in chiefe: in like maner and forme, as is vied vpon alienations of such manors, lands, tenements, or hereditaments, so holden in chiefe by fine or feoffment.

19 Provided also, & be it enacted by the authoritty aforesaid, that in such cases where fines for alienations shal be paid in the kings Chancery for writs of Entre in the Post, as is aforesaid: that then none other fine shalbe paid in the same Court for any such writs: any vlsage or custome to the contrary notwithstanding.

20 And be it further enacted by the authority aforesaid, that where two or more persons now hold, or hereafter shall hold any manors, lands, tenements, or hereditaments, of the king our sovereign Lord by knights service, jointly to them, and to the heirs of one of them, & he that hath the inheritance thereof dieth, his heir being within age, that in every such case, the king shall have the ward and marriage of the body of such heir so being within age, the life of the freeholder or freeholders of the said manors, lands, tenements, or hereditaments so holden by knights service notwithstanding.

21 Saving and reserving to all and every woman and women, all and every such right, title, and interest of dowry, as they or any of them, ought to have, or be, or shall be justly limited to have, claim, or demand of any manors, lands, tenements, or hereditaments, by the Lawes of this Realme, to be taken or assigned to them, or any of them, out of the two parts of the said manors, lands, tenements, or hereditaments, severed and divided from the third part as is aforesaid, and not otherwise.

22 And saving also to the king our sovereign Lord, his heirs and successors, the reversion of all such Tenant in joint-tenure and dowry, immediately after the death of such tenants, if they shall happen to dye during the minority of the R. ward.

An

An act for the limitation of Prescription,  
Anno 31. H.8.cap.2.

## Limitation 3.

**F**Orasmuch as the time of Limitation appointed for suing of writs of right, & other writs of possession and seisin of mens ancestors or predecessors, or of their owne possession or seisin, by the lawes & statutes of this Realme heretofore made, limited and appointed, viz. Merton cap. 3. Westm 1. cap. 39. Westm 2. cap. 2. & cap. 46. extend & be of so far and long time past, that it is aboue the remembrance of any living man, truly to trie and know the perfect certaintie of such things, as hath or shall come in triall, or do extend vnto the time & times limited by the said lawes and statutes, to the great dangers of mens consciences, that haue, or shall be impanelled in any Jury for the retall of the same. And also it is a great occasion of much trouble, vexation, & suits to the kings louing subiects, at the common Lawes of this Realme, so that no man although he and his ancestors, & those whose estate he or they haue, haue bene in peaceable possession of a long seisin, of, & in lands, tenements, & other hereditaments, is, or can be in any suretie, quietnes or rest, of, & in the same, without a good remedy & reformation be had, made, and provided for the same.

2 Be it therfore enacted by the king our soueraign Lord, & the Lords spirituall and

## Limitation.

tempozall, and the commons in this pzefent Parliament assembled, & by the anthozity of the same, that no maner of person oz persons shal from hencefozth sue, haue, oz maintaine any wzit of right, oz make any pzescription, title oz claime, to oz foz any manozs, lands, tenements, rents, annuities, commons, pensions, poztions, coztodics, oz other hereditaments, of the possession of his oz their ancestoz oz pzedecestour, & declare and alledge any further seisin oz possessiō of his oz their auncestoz oz pzedecestoz, but only of the seison oz possession of his ancestoz oz pzedecestoz which hath bin, oz now is, oz shal be seised of the said manozs, lands, tenements, rents, annuities, commons, pensions, poztions, coztodics, oz other hereditaments, wth in 60. yeares next befoze the Telle of the same wzit, oz next befoze the said pzescription, title, oz claime, so hereafter to be sued, commenced, bzought, made, oz had.

3 And be it further enacted by the authoritie abovesaid, that no maner of person noz persons shal hereafter sue, haue, oz maintain any Assise of Mortdauncesler, Cofnage, Ayel, wzit of Entrie vpon disseisin, done to any of his auncestours oz pzedecestozs, oz any other actiō possessary vpon h possession of any of his auncestozs oz pzedecestozs, foz any manozs, lands, tenements, oz other hereditaments, of any further seison oz possession of his oz their auncestoz oz pzedecestoz, but onely of the seisin oz possession of his

v. Co. l. 4. 10. 11  
*5. servat il f. 11. 12*  
*from w. 11. 12.*

or their ancestoz or predecessoz which was, or hereafter shall be sealed of the same manours, lands, tenements, or other hereditaments, within fiftie yeares next before the Teste of the original of the same writ hereafter to be brought.

4 And be it further enacted by the authority aforesaid, that no person nor persons shall hereafter sue, haue or maintain any action, for any manors, lands, tenements, or other hereditaments, of or vpon his or their own seisin or possession therein, aboue xxx. yerres next before the Teste of the original of the same writ hereafter to be brought.

5 And be it also enacted by the authority aforesaid, that no person or persons shall hereafter make any auowrye or cognisance for any rent, suit, or seruice, & alledge any seisin of any rent, suit, or seruice in the same auowrye or cognisance, in the possession of his or their ancestozs, or predecessoz, or predecessoz, in in his own possessiō, or in h possession of any other whose estate he shal pretend or claime to haue, aboue l. yerres next before the making of the said auowrye or cognisance.

6 And ouer that, be it enacted by the authority aforesaid, that all forimons in reuerter, forimons in remainder, & Scise facias vpon fines of any manors, lands, tenements or other hereditaments, at any time hereafter to be sued, shall be sued & taken within fiftie yerres next after h title & cause of actiō fallē, & at no time after the said 50. yerres passed.

## Limitation.

7 And be it also enacted by authoritie aforesaid, that if any persons or persons at any time hereafter do sue any of the said action or writs, for any manors, lands, tenements, or other hereditaments, or make any avowrie, cognisance, prescription, title or claime, of, or for any rent, suit, service, or other hereditaments, & cannot prove that he or they, or his or their ancestors, or predecessors, were in actual possession or seison of and in the same manors, lands, tenements, rents, suits, services, annuities, commons, pensions, portions, corodies, or other hereditaments, at any time or times within the yeares before limited and appointed in this present act, & in maner & forme as is aforesaid, if the same be trauesed or denied by the party plaintife, demādant, or avowāt, or by the party tenant or defendant: that the and after such triall therein had, all & every such persō & persōs, & their heirs, shal frō thenceforth be utterly barred forever, of all & every the said writs, actions, avowries, cognisance, prescription, title and claime hereafter to be sued, had, or made, of & for the same manors, lands, tenemēts, or hereditaments, or other the premisses, or any part of the same, for the which the same actiō, writ, avowry, conside[r] prescription, title or claime hereafter shal be at any time had, sued, or made &c: Certaine promissions for those & their heirs who had actions &c. depēding or were the within age, covert baron, in prison, or out of the realme.

8 Provided furthermoze, that if any false verdict happē hereafter to be given or made in any of the said actions, suits, answers, prescriptions, titles, or claimes: that then the party grieved by reason of the same, shall and may have his attainnt vpon everie such verdict given or made, and the plaintife in the same attainnt vpon iudgement for him given, shall have his reconerie, execution, & other advantage in like maner and forme, as heretofore hath bin used & accustomed: any thing before in this act conteyned to the contrary notwithstanding.

Executions.

An Act for contentation of debts vpon executions. Anno 32. H. 8. cap. 5.

Executions 10.

**W**hereas before this time divers & sundry persons have sued executiōs, assuet vpon iudgements for them given of their debts or damages, as vpon such statutes Merchants, statutes of the Staple, or recognisances, as have bene to the before made, recognised, & knowledged & thereupon such lands, tenements, & other hereditaments, as were lyable to the same execution, have bin by reasonable extent to them delivred in execution for the satisfaction of their said debts & damages, according to the lawes of this realm. Nevertheless,



## Executions.

lesse, it hath bin oftentimes seene, that such lands, tenements & hereditaments so deliuered & had in execution, haue bin recovered, or lawfully deuelted, taken away or euicted from the possessiō of the said recoverers, obligers or recognisers, their executors or assigns, befoze such time as they haue bin fully satisfied & paid of their debts & damages, without any maner fraud, disceipt, conn, collusion, or other default in the said recoverers, obligers, or recognisers, their executors and assigns, by reason whercof the said recoverers, obligers & recognisers haue bin thereby set cleerly without remedy, by any maner suit of h<sup>e</sup> law, to recouer or come by any such part or parcel of their said debts & damages, as was behind, & not by them lentied or receiued, befoze such time as h<sup>e</sup> said lands, tenements, & other hereditaments, so by them had in execution, were recovered, lawfully deuelted, taken or euicted, out of, & from their possessions, as is afozesaid, to their great hurt & losse, and much seeming to be against equal iustice and good conscience.

2. For reformation whercof, be it enacted by authority of this p<sup>re</sup>sent parliamēt, that if hereafter any such lands, tenements, or hereditaments, as be or shalbe had & deliuered to any person or persons in execution as is afozesaid, vpon any iust, & lawfull title, matter, condition, or cause wherewithall the said lands, tenements, & hereditaments were liable, tied, & bound, at such time as they were deli-

delivered & taken into execution, shall happen to be recovered, lawfully benefited, taken, or evicted out of, & from the possession of any such person & persons as now have and hold, or hereafter shall have & hold & same in execution as is aforesaid, without any fraud, deceit, contrivance, collusion, or other default of & said tenant or tenants by execution, before such time as the said tenants by execution their executors or assigns, shall have fully & wholly levied or received the said whole debt & damages, for & which the said lands, tenements, & other hereditaments were delivered & taken in execution, as is aforesaid: then every such recoverer, obligee & recognisor shall & may have & pursue a writ of Scire facias out of the same court, from whence the said former writ of execution did proceed, against such person or persons, as the said writ of execution was first pursued, their heirs, executors, or assigns, of such lands, tenements, or hereditaments, as were or bin then liable or charged to the said execution, returnable into the same court, at a certaine day, being full xl. dayes after the date of the same writ.

3 At which day if the defendt being lawfully warned make default, or appear and do not shew and plead a sufficient matter or cause, other then the acceptance of the said lands, tenements, & hereditaments, by the said former writ of execution, to bar, avoid, or discharge & said suit for the residue of the said debt & damages, remaining unlevied, or

## Executions.

Unrestrained by the said former execution: then the Lord Chancellor, or other such Justice or Justices, before whom such writ of Scire facias shall be returnable, shall make effcones a new writ or writs out of the said former record of judgement, statute merchant, statute staple, or recognisance, of like nature & effect, as the said former writ of execution was, for the leuying of the residue of all such debt & damage, as the shall appere to be vntoleued, vnsatisfied, or vnpaid of the whole summe or summes in the said former writ of execution contained: Any law, custome, or other thing to the contrarie hereof, heretofore vbled, in any wise notwithstanding.

## Tythes.

An Act for the true payment of Tythes and offriings. An. 32. H. 8. cap. 7.

### Tythes 8.

**W**here diuers & many persons inhabiting in sundry countie & places of this Realme, & other the kings dominions, not regarding their duties to Almighty God, & to the king our soueraigne Lord, but in few yeeres past more contemptuously & commonly presuming to offend & infringe the good & hollome lawes of this Realme, & gracious commandments of our said soueraigne Lord, the in times past both by some or known, haue not letted to sub-  
stat,

tract, & withdraw the lawfull & accustomed tithes of coyns, hay, pasturages, & other sort of tithes & oblations commonly due to þ owners, proprietaries & possessors of the parsonages, vicarages, & other ecclesiasticall places, of & within the said realme & dominions, being the more encouraged thereto, for that divers of the kings subjects being lay persons, having parsonages, vicarages & tithes to, them & to their heires, or to them & to the heires of their bodies lawfully begotten, or for term of life or yeeres, cannot by the order & course of the ecclesiasticall lawes of this realme, sue in any ecclesiastical court for the wrongfull withholding & deteyning of the said tithes or other duties, nor cannot by the order of the common lawes of this realme, have any due remedie against any person or persons, their heires or assignes, that wrongfully deteyneth or withholdeth the same: by occasion whereof much controuersie, suite, variance & discord is like to insurge & ensue among the kings subjects, to the great detriment, damage, & decay of many of them, if convenient and speedy remedie therfore be not had & provided.

Wherefore it is ordeined & enacted by our said sovereign L<sup>o</sup>. the king, with the assent of the Lords spiritual & temporall, and the commons in this present parliament assembled, & by authoritie of the same, þ all and singular persons of this his said Realme, or of ther his dominions, of what estate, degree,

## Tithes.

or condition soener he or they be, shall fully, truly & effectually decide, set out, ordeine, or pay all & singular tithes & offerings aforesaid, according to the lawfull customes & usages of the parishes & places where such tithes or duties shall grow, arise, come, or be due. And in case that it shall happen any person or persons of his or their ungodly and perverse will & mind, to deteine or withhold any of the said tithes or offerings, or part or parcel thereof, then the parson or party being ecclesiastical or lay persons, having cause to demand or haue the said tithes or offerings, being thereby wronged or grieved, shall and may conuent the person or persons so offending befoze the Ordinary, his Commissary, or other competent minister, or lawfull Judge of the place where such wrong shalbe done, according to the ecclesiasticall Lawes.

3 And in every such case of matter or suit, the same Ordinary, Commissarie, or other competent minister, or lawfull Judge, having the parties, or their lawfull procurators befoze him or them, shall & may by vertue of this Act procede to the examination, hearing, and determination of every such cause or matter ordinarily or summarily, according to the course and procelle of the said ecclesiasticall Lawes, and thereupon may give sentence accordingly.

4 And in case that any of the parties, for any cause or matter concerning that suit, do appeal from the sentence, order & definitive  
Judge

iudgement of the said Ordinarie, or other competent Judge, as is aforesaid: then the same Judge by vertue of this act forthwith vpon such appellation made, shall adiudge to the other partie the reasonable costes of his suit, therein befoze expended, & shall compell the same partie appellat to satisfie and pay the same costes so adiudged by compulsionie processe, & censures of the said lawes ecclesiasticall, taking suertie of the other party to whom such costs shall be adiudged and payed, to restore the same costes to the partie appellat, if after the principall cause of that suit of appeale shall be adiudged against the same partie, to whom the said costs shall be payden. And so euerie Ordinarie, or other competent Judge ecclesiasticall, by vertue of this Act shall adiudge costs to the other partie vpon euery appeal to be made in any suit or cause of subtraction or detention of any tithes or offrings, or in any other suit to be made for or concerning the dutie of such tithes or offrings.

5 And further be it enacted by the authoritie aforesaid, that if any person or persons after such sentence diffinitive given against them, obstinately and willingly refuse for to pay their tithes and duties, or such summes of money so adiudged wherein they be condemned for the same, that then two Justices of the peace of the same Shire, wherof one to be of the Quorum, shall haue authoritie by this Act, vpon information, certificate,

## Tithes.

case, or complaint to them made in writting by the said ecclesiasticall Judge that gave the same sentence, to cause the same party to refusing, to be attached, and committed to the next gaole, & there to remaine without baile or mainprise, till he or they shall have found sufficient sureties to be bound by recognisance, or otherwise, before the same Justices to the vse of our soueraigne Lord the King, to performe the said diffinitive sentence and iudgement.

6 Provided alwaies, and be it enacted by the authoritie aforesaid, that no person or persons, shalbe sued, or otherwise compelled to pay, give, or pay any manner of tythes, for any manors, lands, tenements, or hereditaments, which by lawes or statutes of this Realme are discharged, or not chargeable with the payment of any such Tythes. Vide Anno 31. H. 8. cap. 13. Monasteries II, in fine.

7 Provided also, and be it enacted by authority aforesaid, that this act nor any thing therein conteyned, shall in any wise binde the inhabitants of the Citie of London and suburbs of the same, for to pay their tythes and offerings within the same Citie & suburbs, otherwise then they ought or should have done before the making of this act: any thing in this act conteined to the contrarie notwithstanding.

8 And be it further enacted by authoritie aforesaid, that in all cases where any person

or persons, which now have, or which here-  
 after shall have any estate of inheritance, free-  
 hold, terme, right, or interest, of, in, or to any  
 personage, benefice, portion, pension, tithes,  
 oblations, or other ecclesiastical or spirituall  
 profit, which now be, or which hereafter shall  
 be made temporall, or admitted to be, abide,  
 and goe to, & in temporall hands, & lay benefice  
 and profits by the law or statutes of this  
 realm, shall hereafter fortune to be disseised,  
 deforced, wronged, or otherwise kept or put  
 from their lawfull inheritance, estate, seisin,  
 possession, occupations, terme, right, or in-  
 terest, of, or to the same, or of, in, or to any  
 parcell thereof, by any other person or per-  
 sons, claiming, or pretending to have inte-  
 rest, or title, in, or to the same, that then in  
 all and every such case or cases the person or  
 persons so disseised, deforced, or wrongfully  
 kept or put from his or their right or pos-  
 session, as is afore rehearsed, their heires,  
 exors, and such other, to whom such injury  
 or wrong shall bee done or committed, shall  
 and may have their remedy in the Kings  
 temporall courts, or other temporal courts,  
 as the case shall require, for the recovery, get-  
 ting, or obtaining of such inheritance, estate,  
 freehold, seisin, possession, terme, right, or in-  
 terest, by writs original, of *Præcipe quod*  
*reddat*, *Affise of Nouel disseisin*, *Mortdaunc'*,  
*Quod ei deforciat*, writs of *dower*, or other  
 writs original, as the cause shall require, to  
 be denied and graunted in the kings court  
 of



## Tithes.

of Chauncery, of euerie such parsonage, vicarage, portion, pension, or other profit called ecclesiasticall or spirituall, so to bee demanded, according to the nature and cause of the suit thereof, in like maner and forme as they should, ought, or might haue had, of or for lands, tenements, or other hereditaments, in such manner to bee demanded. And that writs of Covenant, and other writs for fines to be leuied, and all other assurances to be had, made, or conueied of any such parsonage, vicarage, portion, pension or other profit called ecclesiasticall or spirituall as is aforesaid, shalbe hereafter deuised and graunted in the said Chauncerie, according as hath bin vsed for fines, to be leuied, and assurance to be had, made, or conueied of lands, tenements, or other hereditaments.

9 And that all iudgements to be giuen vpon any of the said writs original so to be deuised or graunted of or for any the premises or any of them: and all fines to be leuied, and knowledge in any of the kings said courts thereof, shal be of like force and effect in the law, to all intents and purposes, as iudgements giuen and fines leuied of lands, tenements and hereditaments in the same courts vpon writs original therfore duely pursued & prosecuted, albeit no such forme of writs originall out of the said Court of Chauncerie haue heretofore proceeded or bin awarded.

10 Provided alwaies, that this last act shall

shall not extend nor be expounded, to give any remedie, cause of action or suite in the courts remporal, against any person or persons, which shall refuse or denie to let out his or their tithes, or which shall detaine, withhold, or refuse to pay his tithes, and offerings, or any parcell thereof, but that in all such cases the person or party being ecclesiasticall or lay person, having cause to demaunde or to haue the said tithes, or offerings and thereby wronged or greued, shall take & haue their remedie for their said tithes and offerings, in every such case in the spiritual courts, according to the ordinance in the first part of this act mentioned & not otherwise. Any thing herein expresse to the contrarie thereof notwithstanding.

An act against maintenaunce, embracerie, &c. and against vnlawfull buying of rydes, An. 31. H. 8. cap. 9.

## Maintenance 7.

**T**he King our Soueraigne Lord calling to his most blessed remembrance, that there is nothing within this Realme concerneth his louing subjects in moze quietnesse, rest, peace and good concord, then the due and iust ministracion of his lawes, & the true and indifferent triall of such titles and issues as bein to be tried, according to the Lawes of this Realme, which

## Maintenance.

Which his most royall Maiestie perceiuet  
to bee greatly hindered and lettēd by main-  
tenance, embzacerie, champertie, (suborna-  
tion of witnesles, sinister labour, buying of  
titles, and pzetenced rights of persons not  
being in possession, wherupon great per-  
turie hath insued, and much inquietnesse,  
oppression, vexation, trouble, wrongs and  
disinheritance hath folloved amongst his  
most loving subiects, to the great displea-  
sure of almightie God, the discontentation  
of his maiestie, and to the great hinderance  
and let of Justice within this his realme:  
For the auoiding of all which misdemea-  
nors, & buying of titles & pzetenced rights,  
and to the intent that Justice may be moze  
fully and indifferently ministred, and the  
truethe in causes of contention plainly tried,  
betwēne his subiects of this realme.

2 Wee it enacted by our said soueraigne  
lord, with the assēt of the lords spiritual and  
temporal, & the cōmons in this pzetent par-  
liament assembled, & by authoritie of hē same,  
that from henceforth all statutes heretofore  
made concerning maintenance, champertie,  
& embzacerie, or any of them, now standing  
and being in their full strength & force, shall  
be put in due execution, according to the te-  
nors and effects of the same statutes.

3 And ouer that be it further enacted, by  
the authoritie aforesaid, that no person nor  
persons, of what estate, degree, or condition  
soeuer hee or they bee, shall from henceforth  
bar:

bargaine, buy, or sell, or by any waies or meanes obtaine, get, or haue any pretended rights or title, or take promise, grāt, or cōuenāt to haue any right or title of any person or persons, in or to any manors, lands, tenements or hereditaments, but if such person or persons, which shall so bargain, sel, giue, grant, cōuenāt or promise the same, their ancestours, or they by whom hee or they claime the same haue been in possession of the same, or of the reuerſion or remainder thereof, or taken the rents or profits thereof, by the space of one whole yeare next before the said bargain, covenant, graunt, or promise made, vpon pain that he that shall make any such bargain, sale, promise, covenant, or graunt, to forfeit the whole value of the lands, tenements or hereditaments so bargained, sold, promised, covenanted, or graunted contrarie to the forme of this act. And the buyer or taker thereof, knowing the same, to forfeit also the value of the said lands, tenements, or hereditaments so by him bought, or taken, as is abovesayde, The one halfe of the said forfeitures to be to the king our soveraign Lord, and the other halfe to the party that will sue for the same, in any of the kings courts of record, by action of debt, bill, plaint, or information. In which action, bill, plaint, or information, no essoine, protection, wager of law, nor inhibition shall be allowed.

4 And furthermore, that no manner of person

As

son

## Maintenance.

son or persons of what estate, degree, or condition soever he or they be, do hereafter unlawfully maintaine, or cause or procure any unlawfull maintenance, in any action, demand, suite, or complaint, in any of the kings courts of the Chaucerie, the Starre Chamber, white hall, or els where, within any of the kings dominions of England or Wales, or the Marches of the same where any person or persons have, or hereafter shal have authority by vertue of the kings commission, patent, or writ, to hold plea of lands, or to examine, heare or determine, any title of lands, or any matter or witnessles concerning the title, right, or interest of any lands, tenements, or hereditaments.

5 And also that no person or persons, of what estate, degree, or condition soever he or they be, doe hereafter unlawfully retaine for maintenance of any suit or plea, any person or persons, or embrace any freeholders or jurors, or suborne any witnessle by letters, rewards, promises, or by any other sinister labour or means, for to maintain any matter or cause to the disturbance or hinderance of iustice, or to the procuremēt or occasion of any manner of perurie by false verdict, or otherwise, in any manner of courts aforesaid, upon pain of forfeiture for every such offence x. li. the one moiety thereof unto the R. our soueraigne Lord, & the other moiety to him that will sue for the same by action of debt, bill, plaint, or information, in any the R. courts,

in

in which action, no essoin, protection, wager of law no intinction shalbe allowed.

6 Provided alway, & be it enacted by the authoritie aforesaid, that it shall be lawfull to any person or persons, being in lawfull possession by taking of the yearly ferme, rents or profits of or for any manors, lands, tenements, or hereditaments, to buy, obtain, get or have by any reasonable way or means the pretended right, or title of any other person or persons hereafter to be made to, of, or in such manors, lands, tenements, or hereditaments, wherof hee or they shall so bee in lawfull possession: any thing in this act contained to the contrary notwithstanding.

7 And for the due execution of this present act, bee it further enacted by authoritie abovesaid, that the Justices of assise of every circuit within this realm and elsewhere within the kings dominions, shall in every countie within their circuits, two times in the yeare, that is to say, in the time of their sittings for the taking of assises or deliuey of their gaules, cause open proclamation to be made, aswell of this present act, and of every thing therein contained, as also of all other statutes heretofore made, against unlawful maintenance, champertie, embracement, or unlawful retentions, to the intent that no maner of person or persons, hearing the same should be ignorant or mis cognisant of the dangers and penaltie therein contained and specified.

## Leases.

It is provided alsway, & be it enacted by the authoritie aforesaid, that this Act shall not extend to charge any person or persons with any of the penalties mentioned in the said Act, for any offence by him or them committed contrarie to the said act, except the same person or persons so offending be sued thereof by action of debt, bill, plaint or information, in any of the kings courts, within one yeare next after the same offence by him or them committed, as is aforesaid.

An act that Lessees shall inioy their fermes against Tenants in Taile, or in the right of their Wiues, or Churches, &c. An

32 H.8. cap. 28.

### Leases 1.

**B**e it ordained, established, & enacted by the king our soueraign Lord, the lords spiritual & tempozal, and the commons in this present parliament assembled, & by the authoritie of the same, That all Leases hereafter to be made of any manors, lands, tenements, or other hereditaments, by writing indented, under seale, for terme of yeares, or for term of life, by any person or persons being of full age of 21. yeares, hauing any estate of inheritance, either in fee simple, or in fee taile, in their owne right, or in the right of their Churches, or Wiues, or jointly with their Wiues, of any estate of inheritance made befoze the couerture, or after, shall bee good

good and effectuell in the Law, against the lessozs, their wiues, heires & succellozs, and enerie of them, according to such estate as is comprised & specified in every such Indenture of lease, in like maner & forme as the same should haue been, if the lessozs thereof, & every of them, at the time of the making of such Leases had been lawfully seized of the same lands, tenements, and hereditaments comprised in such Indenture, of a good, perfect, and pure estate of fee simple thereof to their owne onely vles.

2 Provided alway, that this Act, nor any thing therein contained, shal not extend to any Leases to be made, of any manors, lands, tenements, or hereditaments, bring in the hands of any ferme, or ferme, by vertue of any old lease, vntill the same old lease be expired, surrendred, or ended, within one yere next after the making of the said new lease, nor shal extend to any graunt to be made of any reuerſion of any manors, lands, tenements, or hereditaments, nor to any lease of any manors, lands, tenements, or hereditaments, which haue not most commonly bin letten to ferme, or occupied by the ferme thereof, by the space of 10. yeres next before such lease thereof made, nor to any lease to be made, without impeachment of waste, nor to any lease to be made aboue the number of 21. yeres, or thre lites at the most, from the day of making thereof.

3 And that vpon every such Lease there



## Leases.

Ca. 5. p. 5. 6.

be reserved yearly during the same lease due and payable, to the lessors, their heirs and successors, to whom the same landes should have comen after the deathes of the lessours, if no such lease had bene thereof made, and to whom the reversion thereof shall appertaine, according to their estates and interests, so much yerely terme or rent, or more, as hath bene most accustomedly yielded or payed for the manors, lands, tenements, and hereditaments so to be letten, within xx. yeares next before such Lease thereof made. And that every such person and persons, to whom the reversion of such manors, lands, tenements, or hereditaments so to be letten, shall appertaine, as is aforesaid, after the deathes of such lessors, or their heirs, shall and may have such like remedy and advantage, to all intents and purposes, against the lessors thereof, their executors and assignes, as the same lessour should or might have had against the same lessors. So that if the lessor were seised of any especiall estate taile of the same hereditaments, at the time of such lease, that the issue or heyre of that especiall estate, shall have the reversion, rents and services, reserved upon such lease, after the death of the said lessour, as the lessour himselve might or ought to have had, if he had lived.

4. Provided alway, that the wife be made partie to every such Lease, which hereafter shall be made by her husband, of any manors,

nozs, lands, tenements, oz hereditaments, being the inheritance of the wife. And that enery such Lease be made by Indenture in the name of the husband & his wife, and be to seale to the same.

5 And that the ferme and rent be reserved to the husband and to the wife, and to the heires of the wife, according to her estate of inheritance of the same.

6 And that the husband shall not in any wise alien, discharge, graunt, oz give away the same rent reserved, noz any part thereof longer then during the couerture, without it be by fine leuied by the said husband and wife: But that the same rent shall remain, descend, reuert, oz come after the death of such husband, unto such person oz persons, & their heyes, in such manner and sort, as the lands so leased should haue done, if no such Lease had thereof bene made.

7 Provided also that this Act extend not to give any libertie oz power to any person oz persons to take any moe termes, leases, oz takings of any manors, lands, tenements, oz other hereditaments, then he oz they should oz might lawfully haue done before the making of this Act. [See the Statute made 25.

Ed. 3. cap. 12. Sheepe 2.] Nor extend to give any libertie oz power to any Person oz Vicar of any Church oz Vicarage, for to make any lease oz graunt of any their messuages, lands, tenements, tithes, profits, oz hereditaments, belonging to their Churches oz

Parsons, & Vicars ne font deins cest statut.

## Leases.

blearages, othe: wise o: in any other maner then they should o: might haue done befoze the making of this act: any thing contained in this act to the contrary notwithstanding.

9 And furthermoze be it enacted by authority aforesaid, that all leases at any time within the space of thze yeares next befoze the xij. day of Aprill, and in the xxxj. yere of our soueraign Lord the kings raigne, made by writing indetcd vnder seale, by any person o: persons of full age, of whole memory, not vnlawfully coerced, no: being covert baron, fo: terme of yeares, of any manors, lands, tenements, o: other hereditaments, whercof the lessor o: lessors were seised of any estate of inheritance, of and in the same to their owne onely vse at the time of making any such lease thereof, and whercof the lessors, their executors and assignes, be now in possession by vertue of the same lease, and no cause of reentry o: forfeiture thereof had o: made, shall be good and effectuell in the law, against the lessors, their heyres & successors, and the heyres and successors of euery of them, according to the covenants, articles, and agræmets, specified in euery such indenture of lease.

10 So alwaies there be reserved & payablp payablp, during the same lease, to the said lessors, their heyres o: successors, o: to such other as should o: ought to haue had the same manors, lands, tenements, o: hereditaments so leased, after the decease of such lessors,

fourth, in case no such lease had thereof bene made, as much yearely rent for the same, as was at any time theretofore paiden or payed within xx. yeares next before the making of any such lease, or else such leases to be of no other force, ne effect, then they were before the making of this present act.

¶ And moreover for certaine considerations, be it enacted by authoritie aforesaid, that no fine, feoffment, or other act or acts hereafter to be made, suffered, or done, by the husband onely, of any manors, lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the coverture betwene them, shall in any wise be, or make any discontinuance thereof, or be prejudiciall or hurtfull to the said wife, or to her heires, or to such as shall have right, title, or interest to the same, by the death of such wife or wives. But that the same wife or her heires, and such other to whom such right shall appertain, after her decease, shall & may then lawfully enter into all such manors, lands, tenements, & hereditaments, according to their rights & titles therein: any such fine, feoffment, or other act to the contrary notwithstanding: fines levied by the husband & wife (whereunto the said wife is partie and party) onely except.

¶ And provided furthermore, that this clause or act, extend not to give any libertie to any such wife, or to her heires for to annule any lease hereafter to be made of any the inheritance

## Leases.

tance of the wife, by her husband and her  
for terme of xij. yeares, or vnder, or any her  
inheritance for terme of thre lines at the  
uttermost, wherupon as much yearly rent  
or moze, is, or shall be reserved, & perchy pay-  
able during the same lease, as was at any  
time theretofore yielded or payed within xj.  
yeares next before the making of any such  
lease, according to the tenour of this present  
Act: any thing therein conteyned to the con-  
trarie notwithstanding.

13 Provided also, that this Act extend  
not to make any good lease or leases, hereto-  
fore made, by any ecclesiasticall person or  
persons by their consent or common seale,  
which be made void, or taken away, by au-  
thority of any act of Parliament heretofore  
made: Nor extend to make good any lease or  
leases, heretofore made by any ecclesiasticall  
person or persons, now being attainted of  
treason, vnder the couent seale, or otherwise,  
or by any other person or persons now be-  
ing attainted of treason by act of parliamēt,  
or otherwise. But that all & singular such  
lease and leases, and enerte of them, now  
made, or hereafter to be made, shalbe of such  
like effect & strength in the law, and none o-  
ther, as they & euery of them were before the  
making of this act: any thing before men-  
tioned in this Act to the contrarie therof  
notwithstanding.

An Act concerning Mispleading, Treasures  
and Attornies, Anno 32.H.8.cap.30.

## Repleader 1.

**F**rom hencefoorth if any issue be tried by  
the oath of xij. or moe indifferent men,  
for the party plaintife or demandant, or  
for the party of the tenant or defendant, in  
any maner of action or suit at the common  
Law of this realme, in any the R. courts of  
record: that then the Justice & Justices by  
whom iudgement therof ought to be given,  
shall proceed & give iudgement in the same:  
any mispleading, lack of colour, insufficient  
pleading, or treasure, any miscontinuance, or  
discontinuance, or misconueping of proces,  
misordering of the issue, lacke of warrant of  
attourney of the party against whom the  
same issue shall happen to be tried, or any  
other default or negligēce of any of the par-  
ties, their counsaillors or attornies, had or  
made to the contrarie notwithstanding.

2 And the said iudgements therof so to be  
had & given, shall stand in full strength & force  
to all intents & purposes, according to the said  
verdicts, without any reuerfall, or vndoing  
of the same by writ of Error, or false iudge-  
ment, in like sort as though no such default  
or negligēce had neuer bin had or committed.

3 Provided alway, & be it enacted by the  
authoritie aforesaid, in auoiding of errors, &  
other great inconueniences that daily doe  
fortune to rise & grow in the Kings courts  
of Record at Westminster, through the negli-

## Repleader.

negligence of Attournies, because they deliver not their warrants of attorney in such actions & suits, wherein they be named attorney, according to the lawes of this realme, that all & everie such person & persons, which shall fortune hereafter to be Attorney, to or for any other person or persons, being demandant or plaintife, tenant or defendant, in any action or suit, at any time hereafter commenced or taken in any of the R. said courts, & plead to any issue in the same action or suit :

4 That then the same Attournies, & every of them, from time to time, shall deliver or cause to be delivered, his or their sufficient & lawfull warrant of attorney, to be entred of record for every of the said actions or suits, wherein they be named Attournies, to the officer, or his deputy, or deined for the receipt & entering thereof, in the same Terme, when the said issue is entred of record in the said Court, or alsoe, upon paine of forfeiture unto our said soueraigne L. or d. r. l. sterling for every default, for non delivering of the said warrant of attorney.

5 And also further to suffer such imprisonment, as by the discretion of the Justices of the Court for the time being, whers any such default shall fortune to be had or made, shall be thought convenient. This present act with the proviso to endure til the last day of the next parliament. This was continued An. 33. H. 8. cap. 17. & Ann. 37. H. 8. cap. 23 & An. 1. E. 6. cap. 3. it was made perpetuall.

An

An Act concerning Iointenants for terme of life or yeares. An 32. H. 8. cap. 32.

## Particion 3.

**F**oꝛasmuch as in the Parliament begun at westm the xxviij. day of April, there continued till the xxviij. day of June, the 31. yeare of the kings most noble and victorious raigne that now is. It was amongst other things there enacted and established, That all Ioyntenants, and Tenants in common, that then were, oꝛ hereafter should be of any estate oꝛ estates of inheritance in their owne rights, oꝛ in the right of their wiues, of any manors, lands, tenements, oꝛ hereditaments, within this Realme of England, Wales, oꝛ Marches of the same, shall and may bee coerced and compelled by vertue of the said Act, to make particion betwene them of all such manors, lands, tenements, and hereditaments, as they then held, oꝛ hereafter should hold, as Iointenants, oꝛ Tenants in common, as moze plainly at large appeareth by the said statute.

2 And foꝛasmuch as the said statute doth not extend to Iointenants, and Tenants in common, foꝛ terme of life, oꝛ yeares, neither to Iointenants, and Tenants in common, where one, oꝛ some of them haue but a particular estate foꝛ terme of life, oꝛ yeares, and the other haue estate oꝛ estates of inheritance, of and in any manors, lands, tenements,



## Particion.

tenements, and hereditaments.

3 We it therfore enacted by the king our  
loueraigne Lord, & by thassent of the Lords  
spirituall & tempozall, and the commons in  
this pzesent Parliament assembled, and by  
the authozittie of the same, That all Iointe-  
nants, & Tenants in common, and euery of  
them, which now hold, or hereafter shal hold  
iointly, or in common, for terme of life, yeare  
or yeares, or Iointenants, or Tenants in  
common, where one, or some of them haue or  
shal haue estate or estates, for terme of life, or  
yeres, with the other, that haue, or shal haue  
estate or estates of inheritance, or freehold,  
in any manors, lands, tenements, or heredi-  
taments, shal & may be compelled from hence  
forth by writ of Particion to be pursued out  
of the kings Court of Chancerie vpon his  
or their case or cases, to make seuerance and  
particion of all such manors, lands, tene-  
ments, and hereditaments which they hold  
iointly, or in common, for terme of life or  
liues, yeare or yeares, where one or some of  
them hold iointly, or in common, for terme  
of life, or yeares, with other, or that haue an  
estate or estates of inheritance or freehold.

4 Provided alway, and be it enacted, that  
no such particion nor seuerance hereafter to  
be made, by force of this act, bee, or shal bee  
preiudiciall or hurtfull to any person or per-  
sons, their heires or successors, or other then  
such which be parties vnto the said partici-  
on, their executors or assignes.

That

That the dying seised of a wrongfull dissei-  
sour, is no discent in the Law, Anno  
32. H. 8. cap. 33.

Entrie lawfull 2.

**W**here divers persons, of their insa-  
ciable mindes, haue heretofore by  
strength, and without title, entered  
into manors, lands, tenements, and other  
hereditaments, and wrongfully disseised the  
rightfull owners and possessors thereof, and  
so being seised by disseisin, haue thereof dyed  
seised, by reason of which dying seised, the  
disseisee, or such other persons as before such  
discent, might haue lawfully entred into the  
said manors, lands, and tenements, were  
and be thereby clerely excluded of their en-  
trie into the said manors, lands, and ten-  
ements, and put to their action for their re-  
medie and recouerie therein, to their great  
costs and charges.

2 For reformation wherof, be it enacted  
by the authoritie of this present Parlia-  
ment, that the dying seised hereafter of any  
such disseisor, of, or in any manors, lands,  
tenements, or other hereditaments, hauing  
no right or title therein, shall not bee taken  
or deemed from henceforth any such discent  
in the Law, for to tolle or take away the  
entry of any such person or persons, or their  
heires, which at the time of the same discent  
had good and lawfull title of entrie, into the  
same manors, landes, tenements, or heredi-  
camentis,

copye  
298. a  
47.

## Conditions.

*s. sans puis dis-  
suisin per estat  
done É le dis-  
seisor ou son  
heire dentrer,  
ou clamer.*

taments, except that such disseisor, hath had the peaceable possession of such manors, lands, tenements, or hereditaments, whereof hee shall so be seised, by the space of five yerres next after the disseisin therein by him committed, without entrie or continuall claime, by or of such person or persons as haue lawfull title therunto.

An act concerning grauntees of reuerfions to take aduantage of the conditions to be perfourmed by the lessee,  
Anno 32. H. 8. cap. 34.

### Condition 1.

**W**here befoze this time, diuers aswell temporall as ecclesiasticall & religious persons, haue made sundry leases, demises, & graunts to diuers other persons of sundry manors, lordships, fermes, meases, lands, tenements, meadowes, pastures or other hereditaments, for terme of life, or lines, or for terme of yerres, by writing vnder their seale or scales, concerning, alias conteyning, certaine conditions, covenants, & agreements to be perfozmed aswell on the part & behalfe of the said lessees and grauntees, their executozs and assignes, as on the behalfe of the said lessors, & grauntozs, their heires & successozs.

2 And for asmuch as by the common lawe of this Realme, no strainger, to any covenant,

nant, action, or condition, shall take any advantage, or benefite of the same, by any meanes or wayes in the law, but onely such as be parties or parties therunto, by the reason whereof, aswell all grantees of reversions, as also all grantees & patentees of the king our soueraigne Lord, of sundry manors, lordships, graunges, sermes, meales, lands, teneiments, meadowes, pastures, or other hereditaments, late belonging to Monasteries, and other religious & ecclesiastical houses, dissolved, suppressed, renounced, relinquished, forfeited, given by, or by other meanes come to the hands & possession of the kings Maestie, since the fourth day of Februarie, the xxvij. yeare of his most noble raigne, be excluded to haue any entrie or action against the said lessees and grantees, their executors or assignes, which the lessours befoze the time, mought by the law haue had against the same lessees, for the breach of any condition, covenant, or agreement, comprised in the indentures of their said leases, demises, or grants.

3 Be it further enacted by the king our soueraigne Lord, the Lords spirituall and temporall, and the commons of this present parliament assembled, & by authoritie of the same, that aswell all & every person and persons, and bodies politique, their heires, successors, and assignes, which haue, or shall haue, any gift or grant of our said soueraigne Lord, by his letters patents, of any

## Conditions.

lordships, manors, lands, tenements, rents, parsonages, tithes, portions, or any other hereditaments, or of any reversion or reversions of the same, which did belong and appertaine to any of the said Monasteries, and other religious & ecclesiasticall houses, dissolved, suppressed, relinquished, forfeited, or by any other meanes come to the Kings hands, since the said iiij. day of Februarie, in the xxvij. yere of his most noble raigne, or which at any time heretofore did belong or appertaine to any other person or persons, and after came to the hands of our said soueraigne Lord, as also all other persons being grantees or assignees, to or by our said soueraigne Lord the king, or to or by any other person or persons the the R. highnes, and the heires, executors, successors, and assignees of euery of them, shall and may haue and enioy like aduantage against the lessees, their executors, administrators, & assignes, by entrie for non payment of the rent, or for doing of wast, or other forfeiture.

4 And also shall and may haue & enioy all and euery such like, & the same aduantage, benefite, and remedies, by action onely for not performing other conditions, covenants, or agreements, contained & expressed in the indentures of their said leases, demises, or grants, against all & euery the said lessees and fermors, & grantees, their executors, administrators, and assignes, as the said lessours or grauntours themselves or their

their heires or successours, ought, should, or might haue had and enioyed, at any time or times, in like manner and forme, as if the reuerſion of such lands, tenements, or hereditaments, had not come to the hands of our said ſoueraigne Lord, or as our said ſoueraigne Lord, his heires & successours, should or might haue had & enioyed, in certaine caſes, by vertue of the Act made at the first ſeſſion of this preſent parliament, if no ſuch graunt by letters patents had bin made by his highnes. See anno 31. H. 8. cap. 13.

5 Whoeuer bee it enacted by authoritie aforeſaid, that all fermors, leſſes, & graunters of lordſhips, manors, lands, tenements, rents, parſonages, tithes, portions, or any other hereditaments, for terme of yeeres, life, or line, their executors, adminiſtrators, and aſſignes, ſhal & may haue like action, advantage, & remedy againſt all & euery perſon & perſons, & bodieſ politick, their heires, ſuccessours, and aſſignes, which haue or ſhall haue any gift or graunt of the King our ſoueraigne Lord, or of any other perſon or perſons, of the reuerſion of the ſame manors, lands, tenements, or other hereditaments ſo letten, or any parcell thereof, for any condition, covenant, or agreement, contained, or expreſſed in the indiſcures of their leaſe & leaſes, as the ſame leſſes or any of them, might, or ſhould haue had againſt the ſaid leſſors and grauntors, their heires or ſuccessours: all benefits and advantages of

## Fines.

reconerles in balne, by reason of any warrantie in deed, or law, by voucher, or otherwise only excepted.

6 Provided alwaies, that this act nor any thing or things therein contained, shall extend to hinder or charge any person or persons, for the breach of any covenant or condition, comprised in any such writing as is aforesaid, but for such covenants and conditions as shall bee broken, or not performed, after the first day of September next coming, and not before: any thing before in this Act contained to the contrary thereof notwithstanding.

An act for the exposition of the Statute of Fines, Anno 32. H. 8. cap. 36.

### Fines 9.

**F**Or as much as in the fourth yeare of the raigne of the late King of famous memoie King Henrie the vij. father of our most dread soueraigne Lord the King that now is, videlicet 4 Hen. 7. cap. 24. it was among many good and sundry statutes and ordinances then made for the common wealth, enacted, ordained, and established, the forme and manner how fines should be levied with proclamations, in the Kings court, before his Justices of his common place, and that such fines with proclamations, so had & made, to the intent to hold all strifes & debates, should be a finall end, and con-

conclude as well priuies as strangers to the same, certaine persons excepted & saved, as in the same statute more plainly appeareth.

2. Sithen which time by diuersitie of interpretation & expounding of the same statute, it hath bene and yet is by some manner of persons doubted and called in question, whether fines with proclamations, leuied or to be leuied before the said Iustices, by any person or persons, hauing, or clayming to haue, in any manors, lands, tenements, or hereditaments, comprised in the same fine, in possession, reuerſion, remainder, or in vse, as any manner of estate taile, should immediatly after the said fine leuied, ingrossed, & proclamation made, binde the right heire & heires of such tenant in taile, & euery other person and persons, seised, or clayming to their vse or vles, [ See P. 19. H. 8. case 5. ] by occasion wherof diuers debates, controuerſies, suites & troubles haue bin begun, moued, and had within this realme, & moe be like to ensue if remedie for the same be not provided. For the establishment & reformation wherof, and for the sure & sincere interpretation of þe said estatut, in auoiding all dangers, cōtentiōs, controuerſies, ambiguities, & doubts that hereafter may enlarge, grow and happen :

3. Our soveraign Lord the king, with the assent of the Lords spiritual and temporall, and the commons in this present parliament assembled, & by authoritie of the same, hath enacted and ordeyned, that all and singular



## Fines.

Co. l. 3. 51.
Co. l. 3. 84. 87
 fines to be leuied, before the said Just. With  
 proclamations, according to h<sup>e</sup> said statute,  
 by any person or persons, of full age of xxi.  
 yeares, of any manors, lands, tenements, or  
 hereditaments, before the time of the same  
 fine leuied, in any wise entailed to the per-  
 son or persons so leuying the same fine, or  
 to any the ancestor or ancestors of the same  
 person or persons, in possession, reuerſion,  
 remainder, or in vse, shall be immediately af-  
 ter the same fine leuied, engrossed, & procla-  
 mations made, aduodged, accepted, deemed,  
 and taken, to all intents and purposes, a  
 sufficient barre & discharge for ever, against  
 the said person & persons, and their heyres,  
 clayming the same lands, tenements, and  
 hereditaments, or any parcell thereof, onely  
 by force of any such taile, and against all  
 other persons, clayming the same, or any  
 parcell thereof, only to their vse, or to the vse  
 of any manner of heire of the bodies of them:  
 any ambiguity, doubt, or contrariety of o-  
 pinion, risen or growen vpon the said esta-  
 tute, to the contrarie notwithstanding.

3 Provided alſway, that this act, nor any  
 thing therein contained, shall extend to barre  
 or exclude the lawfull entry, title, or interest  
 of any heyre or heyres, person or persons,  
 heretofore given, or hereafter to be given,  
 growen or accrued to them, or any of them,  
 in or to any manors, lands, tenements, or he-  
 reditaments, by reason of any fine or fines  
 heretofore leuied, or hereafter to be leuied by  
 any

any woman, after the death of her husband, contrarie to  $\S$  forme, intent, and effect of the estatute made in the xj. yeare of the said late King  $\S$ . 7. ca. 10. of any manors, lands, tenements, & hereditaments, of the inheritance or purchase of the said husband, or of any his ancestors, given or assigned to any such woman in dower, for terme of life, or in tattle, in vse or in possession, but that the same act made in the said xj. yere of the said late King  $\S$ . 7. shall stand, remain, & be in full strength & vertue, in every article, sentence, & clause therein conteyned, in like maner & forme, as though this present act had neuer been had ne made.

$\S$  Provided also, that this act ne any thing therein conteined, doe extend to any fine or fines, at any time heretofore leuied, or hereafter to be leuied, of any lordships, manors, landes, tenements, or other hereditaments, whatsoever they be, the possessioners and owners whereof, by reason of any expresse wordes contained in any speciall act or acts of parliament, made, or ordeyned, sithen the said iij. yeare of the raigne of the said late King Henry the vij. stand, be bounden, or restrained fro making any alienations, discontinuances, or other alterations, of any of the same lordships, manors, lands, tenements, or hereditaments, conteined in the said fine or fines, but that all & euery such fine & fines, at any time heretofore leuied, or hereafter to bee leuied, by any such person,

## Fines.

or persons, or their heires, of any such lordships, manors, lands, tenements, or other hereditaments, shal be of such like force and strength in the law, and of none other effect, then the same fine leued, or to be leued, should haue bene, if this present act had neuer bene had nor made: Any thing herein conteyned to the contrarie thereof in any wise notwithstanding.

6 Provided also that this Act, nor any thing therein conteyned, shal extend to any fine, or fines, heretofore leued of any manors, lands, tenements, or hereditaments, now in suite, demand, or variance, in any of the kings Courts, or whereof any charters, evidences, or muniments concerning the same, be now in demand in the Kings high court of Chancery, nor to any fine or fines heretofore leued, of any manors, lands, tenements or hereditaments, which before the first day of this present parliament haue been recovered, gotten, or obtained, by reason of any iudgement, entry, decree, arbitrement, or other lawfull meanes, contrarie to the purpozt, intent, or effect of any such fine or fines thereof heretofore leued, nor to any fine or fines heretofore leued, or hereafter to be leued by any person or persons, of any manors, lands, tenements, or hereditaments before the time of the leuying of the same fine, given, graunted, or assigned to the said person or persons, so leuying the same fine, or to any of his or their ancestors in the tail,

taille, by vertue of any letters patents of our said soueraigne Lord, or any of his progenitors, or by vertue of any act or acts of Parliament, the reuerſion whereof at the time of the ſame fine or fines ſo leuied, being in our ſaid ſoueraigne Lord, his heires or ſucceſſors: But that euery ſuch fine and fines ſhall be of like force, ſtrength, and effect, as they were or ſhould haue bene, if this Act had neuer bene had nor made.

An Act for reconerie of arrearages of Rents by Executors of Tenant in fee ſimple.

An. 31. H. 8. cap. 37.

### Rents 2.

**F**oasmuch as by the order of the common law, the executors or administrators of tenants in fee ſimple, tenants in ſaile, and tenants for terme of lines, of rents ſeruices, rent charges, rent ſeckes, & ſaile ſermes, haue no remedy to recover ſuch arrearages of the ſaid rents, or ſaile ſermes, as were due vnto their teſtators in their lines, nor yet the heyres of ſuch teſtator, nor any perſon hauing the reuerſion of his eſtate, after his deceaſe may diſtraine, or haue any lawfull action to leuie any ſuch arrearages of rents, or of ſaile ſermes, due vnto him in his life, as is aforeſaid; by reaſon whereof tenants of the demeane of ſuch lands, tenements, or hereditaments, out of the which ſuch rents were due & payable, who of right ought

## Rents.

ought to pay their rents & fermes, at such day and termes as they were due, do many times keepe, hold, & retaine, such arrerages in their owne hands, so that the executozs, & administratozs of the persons to whom such rents oz fee fermes were due cannot haue oz come by the said arrerages of the same towards the payment of the debts, & performance of the Will of the said testatozs. [M. 19. H. 6. cap. 83. fol. 41. Dette 37. and Executors 98. An 4. E. 3. Itin Notting.

2 For remedie whereof be it enacted by authoritie of this present parliament, that the executozs and administratozs of euerie such person oz persons, vnto whom any such rent, oz fee ferme, is, oz shalbe due, & not paid at the time of his death, shall and may haue an action of debt, for all such arrerages against the tenant oz tenants, that ought to haue payed the said rent, oz fee fermes, so being behnd, in the life of their testator, oz against the executozs & administratozs of the said tenants.

3 And also furthemoze, it shal be lawfull to euery such executor & administrator, of any such person oz persons, vnto whom such rent oz fee ferme is, oz shalbe due, & not paid at the time of his death as is aforesaid, to distraine for the arrerages of all such rents and fee fermes, vpon the lands, tenements, and other hereditaments, which were charged with the payment of such rents, oz fee fermes, and chargeable to the distresse of the said

said testator, so long as the said lands, tenements, & hereditaments, continue, remaine, & be in the seisin & possession of the said tenant in demeane, who ought immediatly to haue paid the said rent, or fee ferme, so being behind to the said testator in his life, or in the seisin or possession of any other pson or persons claiming the said lands, tenements, & hereditaments, onely by and from the same tenant, by purchase, gift, or discent, in like manner and forme as their said testator mought or ought to haue gone in his life time: and the said executors & administrators, shall for the same distresse, lawfully make anowre vpon the matter aforesaid.

4 Provided alway, that this Act, nor any thing therin contayned, shall not extend to any such manour, Lordshippe, or dominion in Wales, or in the Marches of the same, wherof the inhabitants have vsed time out of the mind of man, to pay vnto euery Lord or owner of such lordship, manour, or dominion, at his or their first entrie into the same any summe or summes of money, for the redemption and discharge of all dueties, forfeitures, and penalties, wherewith the said inhabitants were chargeable, to any of their said Lords ancestors or predecessors before his said entrie.

5 And further be it enacted by the authority aforesaid, that if any man, which now hath, or hereafter shall haue in the right of his wife, any estate in fee simple, fee taile, or  
for

## Rents.

for terme of life, of, or in any rents, or for termes, & the same rents, or for termes now be, or hereafter shalbe due behind & unpaid in the said wifes life, then the said husband, after the death of his said wife, his executors or administrators, shall have an action of debt for the said arrearages against the tenant of the demeane that ought to have paid the same, his executors or administrators. And also the said husband, after the death of his said wife may distraine for the said arrearages, in like maner and forme, as hee might have done, if his said wife had bene then living, and make suowre upon his matter as is aforesaid.

6 And likewise it is further enacted by the authoritie aforesaid, that if any person or persons which now hath, or hereafter shal have any rents, or for termes, for terme of life, or lives, of any other person or persons, and the said rent, or for terme, now be, or hereafter shal be due, and behind and unpaid in the life of such person or persons, for whose life, or lives, the estate of the said rent, or for terme, did depend or continue, & after the said person or persons both die: Then hee unto whom the said rent or for terme was due in forme aforesaid, his executors and administrators, shall and may have an action of debt against the tenant in demeane that ought to have payed the same, when it was first due, his executors & administrators, and also distraine for the same arrearages.

arrerages, upon such lands and tenements, out of the which the said rents or for termes were issuing & payable, in such like maner and forme, as he ought or might haue done if such person or persons, by whose death the aforesaid estate in the said rents and for termes was determined & expired, had bin in full life, and not dead. And the auoynce for the taking of the same distresse to be made in maner and forme aforesaid.

An act for the explanation of the Statute of Wils. An 34. H 8. cap. 5.

Wils 3.

**W**here in the last Parliament begun & holden at Westminster the xxiiij. day of Aprill, in the 31. yeare of the Kings most gracious Raigne cap. primo Wils 2. and there by diuers pzouocations holden and continued vnto the xxiiij. day of July, in the 32. yeare of his said raigne, It was by the Kings most gracions and liberrall disposition, shewed towards his most humble & obedient Subjects, ordeined and enacted, how, and in what manner, lands, tenements, & hereditaments might by will or Testament, in writing or otherwise, by any act or actes lawfully executed in the life of enerie person, giuen, disposed, willed, or deuised, for the aduancement of the wife, pzefement of children, payment of debts,  
of



## Wils.

of enery such persō, or otherwise, at his will or pleasure, as in the same Act moze plainly is declared. Whithen the making of which estatute, diuers doubts, questions, & ambiguities haue risen, been moued & growen, by diuersitie of opinions taking, in & vpon the exposition of the letter of the same estatute.

2 For a plaine declaration & explanation whereof, and to the intent and purpose, that the kings obedient & louing subjects, shall and may take the commoditie & aduantage of the kings said gracious and liberall disposition, the Lords spirituall & temporall, and the commons of this present Parliament assembled, most humbly beseechen the kings maiestie, that the meaning of the letter of the same estatute, concerning such matters hereafter rehearsed, may be by the authoritie of this present Parliament enacted, taken, expounded, indged, declared, and explained, in maner and forme following.

3 First, where it is contained in the same former Statute, with diuers articles and branches of the same, that all and singular person and persons; hauing any manors, lands, tenements, or hereditaments of the estate of inheritance, should haue full & free libertie, power, and authoritie, to giue, will, dispose, or assigne, aswell by the last wil and testament in writing, or otherwise, by any act or actes lawfully executed in his life, his manors, landes, tenements, or hereditaments, or any of them, in such maner  
and

and sozme, as in the same former Act moze at large it doth appeare, which words of estate of inheritance, by the authoritie of this present Parliament, is and shall be declared, expounded, taken, & iudged of estates in fee simple only.

4 And also that all a singular person and persons, having a sole estate or interest in fee simple, or seised in fee simple, in coparcenarie, or in common in fee simple, of, and in any manours, landes, tenements, rents, or other hereditaments, in possession, reversion, or remainder, or of rents or services incident to any reversion or remainder, or having no manours, landes, tenements, or hereditaments, holden of the King, his heires or successors, or of any other person or persons, by knights service, shall have full and free libertie, power, and authoritie to give, dispose, sell, or devise to any person or persons (except bodie politique and corporate) by his last will and testament in writing, or otherwise, by any act or acts, lawfully executed in his life, by himselfe, solely, or by himselfe, & other ioyntly, severally, or perticularly, or by all those waies or any of them, as much as in him of right is or shall be, all his said manours, landes, tenements, rents, and hereditaments, or any of them, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same, or out of any parcell thereof, at his owne free will and pleasures: any clause in  
the

## Wils.

the said former act notwithstanding.

5 And further be it declared and enacted by the authoritie aforesaid, that all and singular person & persons, having a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, or in any manors, lands, tenements, rents, or other hereditaments, in possession, reversion, or remainder, or of and in any rents or services incident to any reversion or remainder, holden of the king by knights service in chief, or of the nature of knights service in chief, hath, and by the authority of this present parliament shall have full and free libertie, power any authoritie to give, dispose, sell, or assigne to any person or persons (except bodies politique or corporate) by his last will & testamēt in writing or otherwise, by any act or acts lawfully executed in his life, by himselfe solely, or by himselfe & other jointly, severally, or peticularly, or by all thole waies or any of the, as much as in him of right is or shall be, two parts as well of all the said manors, lands, tenements, rents and hereditaments, as of all and singular his other rents, and hereditaments, or of any of them, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same two parts, or out of any parcell thereof, in thre parts to be divided, or as much thereof, as shall amount to the full & cleere perely value of two parts thereof, in thre parts to be divided of what person

son or persons so ever they be holden, at his free will and pleasure. And that by the authoritie aforesaid, the said will so declared shall be good & effectually for two parts of the said manors, lands, tenements, & hereditaments, although the will so declared be made of the whole, or of more then of two parts of the same. The same division to be made and set forth, by the devisor or owner of the same manors, lands, tenements, and hereditaments, by his last will in writing or otherwise in writing.

6 And in default thereof, by a commission to be granted out of the kings court of the wards & Liveries, upon the inquiry of the true value thereof, by the oaths of six men, and retourn or certificate thereof had in the same court, of the said manors, lands, tenements, and hereditaments, division to be made by the Master of the wards & Liveries, if the master of the wards & Liveries for the time being, and the parties therunto cannot otherwise agree upon the same division. And that the issues and profits of the two parts of the same manors, lands, tenements, and hereditaments upon every such division, to bee restored to them that shall have right, or title to the same, from the death of the owner or devisor thereof.

7 And further be it enacted and declared by the authoritie aforesaid, that all and singular person and persons, having a sole estate or interest in fee simple, or leased in fee

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## Wils.

simple, in coparcenarie, or in common, in fee simple, or and in any manors, lands, tenements, rents, or other hereditaments, in possession, reversion, or remainder, or of and in any rents or services, incident to any reversion or remainder, holden of the king, his heires or successors by knights service, and not in chief, or holden of any other person or persons by knights service, shal haue full & free libertie, power, & authoritie, to giue, dispose, sell or deuise, to any person or persons, except bodie's politicke and corporate, by his last will & testamēt in writing, or otherwise, by any act or actes lawfully executed in his life, by himselfe solely, or by himselfe & other, jointly, severally, or particularly, or by all those waies, or any of them, as much as in him of right is or shall be, two parts of all the said manors, lands, tenements, & hereditaments, or any of them so holdē by knights service, or any rents, common, or other profits or commodities, out of, or to be perceined of the same two parts, or out of any parcell thereof, in 3. parts to be diuided, or as much thereof, as shall amouēt to the full & cleere yearly value of 2. parts thereof, in 3. parts, to be diuided, at his full will and pleasure.

8 And that the said will so declared, by authoritie aforesaid, shalbe good and effectuell, for 2. parts of the said manors, lands, tenements, or hereditaments, although the will so declared be or shall be made of the whole lands & tenements so holden by knights service,

vice, or of more the of 2. parts of the same.

9 And also for the whole of all other such manors, lands, tenements, & hereditaments, or any of them, not holden of the King by knights service in chiefe, or otherwise by knights service, nor of any other person by knights service, & of any rents, commons, or other profits or commodities, out of, or to be perceived of the same, or out of any parcel thereof at his free will & pleasure.

10 The same division to be made and set forth by the owner of the said manors, lands, tenements & hereditaments, by his last will & testament in writing, or otherwise in writing. And in default thereof, for as much of the same manors, lands, tenements & hereditaments, as shal concerne the kings interest, by commission, to be directed out of the kings court of the Wardes and liveries, in manner and forme as is aforesaid, if the master of the wards and liveries for the time being, & the parties thereunto cannot otherwise agree upon the same division.

11 And that restitution of the issues and profits of the two parts thereof, shal be had and made in manner and forme abovesaid.

12 And for such of the same manors, lands, tenements, and hereditaments, as shal concerne the interest of any other Lord or Lords, by commission to be granted out of the Kings court of Chancery, to inquire thereof, by the oathes of twelve men, if the same Lord or Lords, and the parties there:

## Wils.

unto cannot otherwise agree vpon the same diuision.

13 And be it further enacted & declared by authoritie aforesaid, that the sauiings, reseruings, and prouisions, concerning sauing of the custodie, wardship, relief, & primer seisin to the king, of such manours, landes, tenements, & hereditaments, or as much thereof, as shall appertaine vnto them, by vertue of the said former act, & by the declaration and exposition thereof, declared by this present act, during the R. interest therein.

14 And also for the custody and wardship to other Lords, of asmuch of such manours, lands, tenements, & hereditaments, holden of them, as shall amount and extend to the cleere perely value of the third part thereof ouer and aboue all charges, without any diminution or abridgement of the third part, or of the full profits thereof, comprised and mentioned in diuers articles in the said former Act contained, by the authoritie aforesaid, be, & shall be intended, expounded, & taken, as hereafter insueth: that is to say, that the king shall haue and take for his ful third part, of all such manours, lands, tenements, and hereditaments, whereunto he is, or shall be intituled by the said former act, & by this present act, such manours, lands, & tenements, as shall by any meanes descend, or come by discent, aswell of estate of inheritance in fee taile, as in fee simple, or in fee taile only to the heire of any such person, that shall make

make any will, gift, disposition, or devise, by his last will in writing, or by any act or acts lawfully executed in his life, immediately after the death of the same devisour or owner thereof.

15 And that the will, gift, and devise of every such devisour or owner, of and for the two parts of the said manours, lands, tenements, and hereditaments residue, shall by the authoritie aforesaid, be and stand good and effectual in the law, albeit the same will, gift, or devise be had and made of all his fee simple, lands, tenements, & hereditaments, or of the moze part thereof.

16 And in case the same manours, lands, tenements, and hereditaments, which after the death of any such owner or devisour, which shall make any such gift, disposition, or devise by his last will in writing, or otherwise by any act or acts lawfully executed in his life, to his wife, children, or otherwise as is aforesaid, which shall immediately after his death, descend, revert, remaine, or come to his heire or heires, as well of estate of inheritance in fee taille, as of estate in fee simple, or fee taille onely, be not or shall not amount or extend to the full cleere yearely value of the full third part, with the full profits thereof, of all the said manours, lands, tenements, or other hereditaments of the said devisour or owner, according to the true intent and meaning of the said former act, and of this present act: that then the King shall



## Wills.

and may have & take into his hands & possession, to make up his full third part, with the full profits thereof, according to his interest therein, as much of the other manors, lands, tenements, or hereditaments, willed, given, disposed, or assigned by any such person, to his wife, children, or otherwise, as is aforesaid, as with such of the same manors, lands, tenements, and hereditaments, descended, or by any means come unto the heir, or heir of any such deviser or owner, shall make up the cleere yearly value of the said full third part, with the full profits thereof, of all the said manors, lands, tenements, and hereditaments of every such owner or deviser, so to be had to the King, in title of wardship, or primer seisin, as the case shall require. And the division thereof to be had and made, and with the reconstitution of the profits of the two parts of the said manors, lands, tenements, and hereditaments, in such manner and forme as is above rehearsed.

17 And his benefite and advantage to be given, had, & taken, by the said authoritie, to every Lord and Lords of whom any such manors, lands, tenements, or hereditaments, bin or shal be holden by knights service, in manner & forme as is aforesaid, concerning only his or their third parts thereof, according to their said interest therein.

18 And be it further enacted, by the authoritie aforesaid, that if it happen the same third

third part, or any parcell thereof, left, willed, or assigned to the king, or other Lord, at any time during their interest therein, to be lawfully executed, or determined, that then the king, and the other Lord, shall have as much of the two parts residue, as shall accomplish and make up a full third part, in cleere pecuniary value, after the rate and portion of such manors, lands, tenements, and hereditaments, as shall then happen to remaine of the same third part, not executed nor determined, & of the other two parts of such manors, lands, tenements, and hereditaments, as the King or other Lord should or ought to have had, by vertue of the said former act, & this present act: and the same to be divided, in maner & forme aboue rehearsed: any clause in þe said former act notwithstanding.

19 And be it ec. That the saving and reserving for fines for alienation, by any such last will & Testament, of such manors, lands, tenements, or hereditaments, holden of the King by Knights service in chiefe, or by the nature of knights service in chiefe, or by socage in chiefe, or of the nature of socage tenure in chiefe, or for fines for alienation, of such manors, lands, tenements, or hereditaments, wherof there shall be any alteration of frehold, or of inheritance, made by any such last will, comprised in divers and sundry articles, mentioned in the said former Act, be and shall be intended, expounded, taken, deemed, and iudged, by the

## Wills.

authoritie aforesaid, that all such person or persons, to whom the said manors, landes, tenements, or hereditaments, or any of them, be or shall be given, disposed, willed, or devised, by any such last will, shall be exonerated, acquitted, and discharged for ever, against the King, his heires and successors, for all such fines for alienations, by any such last will or Testament, without licence, by setting forth of the Kings pardon for alienation out of the Kings court of Chancery, paying to the King his heires or successors, for the fine of everie such alienation, the third part of the yearly value of the same manors, landes, tenements, or other hereditaments, to him or them willed or devised, and this Act from time to time shall be a sufficient warrant, to the Lord Chauncelloz of England, or Keeper of the great Seale for the time being, for the granting out of the said pardon or pardons, under the Kings great Seale, as heretofore hath bin used for pardons for alienations, without any further suit to be made to the King for the same.

20 And it is further declared & enacted, by the authoritie aforesaid, that wills or testaments, made of any manors, landes, tenements, or other hereditaments, by any woman covert, or person within the age of xxi. yeares, idiot, or by any person de non sane memorie, shall not be taken to be good or effectual in the law.

21 And be it further enacted by the authoritie

thozittie aforesaid, that if any person or persons having estate of inheritance, of or in manors, lands, tenements, or hereditaments holden of the King by Knights service in chiefe, or otherwise of the King by knights service, or of any other person or persons by knights service, hath given at any time sithen the xx. day of the said moneth of July, [32. H. 8. Ann dom 1540.] or hereafter shall give, will, devise, or assigne, by will, or other act executed in his life, his manors, lands, tenements, or hereditaments, or any of them by fraude or couine, to any other person or persons, for terme of yeares, life, or lives, with one remainder over in fee, or with divers remainders over for terme of yeares, life, or in taile, with a remainder over in fee simple to any person or persons, or to his or their right heires, or at any time sithen the said xx. day of July, hath conveyed or made, or hereafter shall convey or make by fraude or couine contrarie to the true intent of this act, any estates, conditions, mesuallties, tenures, or conveyances, to the intent to defraud or desceine the King of his prerogative, primer seison, liverye, reliefe, wardship, marriages, or rights: or any other Lord of their wardships, reliefes, heriots, or other profits which should or ought to accrue, grow, or come unto them or any of them, by or after the death of his or their tenant, by force & according to the former estatute, and of this present act and declaration:

## Wills.

22 And the same estates & other conveyances, being found by office to be so made or contrived by couin, feand, or disceipt, as is abovesaid, contrarie to the true intent and meaning of the said former Act, and of this Act: That then the king shall haue as well the wardship of the bodie and custodie of the lands, tenements, and hereditaments, as livery, primer seisin, reliefe, and other profits, which should or ought to apertaine to the king, according to the true intent and meaning of the said former act, & of this present act, as though no such estates or conveyances by couin, had neuer bene had or made, vntill the said office be lawfully vndone by traierse or otherwise.

23 And that the other Lord & Lords, of whom any such manors, lands, tenements, or hereditaments, shal be holden by knights service, as is aforesaid, shall haue their remedie in such cases, for his or their wardships of bodie & lands, by writ of right of wards, & shall distraine, & make auowzie or cognisance, by themselves or their bailifes, for their reliefes, heriots, and other profits, which should haue bene to them due, by or after the death of their tenant, as if no such estate or conueitance had bin had or made.

24 During & reseruing alwaies by the authority aforesaid, the right & title of the donors, lessors, lesses, & devisees thereof, against the said devisee & his heires, after the interest and title of the king or other Lord therein

therein ended and determined.

25 Provided also that this act, explanation & declaration, or any of them, or any thing in this said Act, explanation, or declaration conteyned, shall not extend to the will or devise of Sir John Garsford, late of Crowhurst in the County of Surrey Knight deceased: nor to the will or devise of Sir Peter Filpot Knight deceased: nor to the will or devise of Richard Creswell late of Wattingley in the Countie of South. gentleman deceased, nor to the will or devise of Thomas Unton late of the countie of Berk. gent. deceased, sonne of Sir Thomas Unton Knight also deceased: or shalbe in any wise prejudiciall or hurtfull to any person or persons, for or concerning any manors, landes, tenements, or hereditaments, conteyned or specified in the said wills or devises, or in any of them, but that the said last wills and devises, and euerie of them, shall stand, abide, remaine and be, in the same case, force and effect in the law, to all intents, purposes, and constructions, as the said last wills and devises, and euerie of them, were before the making of this act, declaration, and explanation, & of none other effect or force: this act, declaration, and explanation, or any of them, or any thing therein conteyned to the contrarie thereof in any wise notwithstanding.

26 Provided alway, and be it enacted by the authoritie aforesaid, that all and euerie person

## Recoueries.

person and persons from whom the king or other Lord or Lords, shall take any manors, lands, tenements, or hereditaments, for his or their full third part, or to make up his or their third part, shall and may by authority of this present act, in any of the cases aforesaid, upon his or their bill exhibited in the kings court of Chancery, against all and euery such person or persons, which shall be intituled by or vnder any such will, gift, dispositiō, or deuise, to the other two parts, haue such contributiō or recompence for the same, as by the Chauncelloz of England, or by the Keeper of the great Seale of England for the time being, shall be thought good and conuenient. See the Statute 34. H. 8. cap. 20. of Recoueries.

¶ An Act to embarre feined Recoueries of lands wherein the Kings Maiestie is in reuerſion, Añ 34. H. 8. cap. 20.

### Recoueries 4.

**W**here diuers of his kings most noble progenitozs, & specially his king our soueraign Lord most liberally aboue all other, hath giuen and graunted, or otherwise prouided to his and their louing and good seruants and subiects, as well nobles as other, manors, meases, lands, tenements, rents, seruices, and hereditaments to them, and to their heires males of their bodies, or to the heires of their bodies lawfully

fully begotten, minding at the time of such gifts, not only to preferre and aduance presently the donees, but also their heires in blood of their bodies, according to the limitation of the said gifts: to the intent the recompence for the seruice of such donees, should not onely be a benefitt for their owne persons, but a continual profit & commodity to & for their heires coming of their bodies, whereby such heires should haue in especiall memorie and dayly remembrance, the profit that they haue & take by the seruice of their ancestozs done to the kings of this realme, and thereby be the better encouraged to doe like seruice to their Soueraigne Lord, as to their dueties of allegiance appertaineth. And sozasmuch as sundrie such donees in taile, and their heires haue suffered, & dayly suffer by their consents, vnttrue & fained recoveries to be had against them, with common voucher, or otherwise, of manors, messes, lands, tenements, or hereditaments so giuen, graunted, or prouided in taile by the kings Maestie, or his noble progenitozs, as is aforesaid, to the intent by fraud, couin, & vndue meanes, not onely to bind & defeat their heires inheritable by the limitation of such gifts, but also the king of his prerogative, wardships, primer seisin, and other his rights: whereby questions & diuersities of opinion haue risen, and yet be, whether such tenants in taile, by their owne consent, of lands, tenements, or hereditaments, whereof  
the



## Recoveries.

the reuerſion or remainder is in the king, at the time of ſuch recoverie or reconſeries, had ſhould after the death of the tenant in taile, bind the heires in taile or not.

2 For the plain declaration whereof, and to avoide & extinguiſh from henceforth diuerſities of opinions in ſuch caſes. Be it ordeined & enacted by authoritie of this preſent Parliament, that no ſuch feined recoverie hereafter to be had, by aſſent of parties, againſt any ſuch tenant or tenants in taile, of any lands, tenements, or hereditaments, whereof the reuerſion or remainder at the time of ſuch recoverie had, ſhall be in the K. ſhall bind or conclude the heires in the taile, whether any condition *alias* common voucher be had in any ſuch feined recoverie or not, but that after the death of every ſuch tenant in taile againſt whom any ſuch recovery ſhall be had, the heires in taile may enter, have & enjoy the lands, tenements, & hereditaments ſo recovered, according to the forme of the gift of in taile: the ſaid recovery or any other thing or things hereafter to bee had, done, or ſuffered, by or againſt any ſuch tenant in taile to the contrarie notwithstanding.

3 And be it alſo further enacted by theſe thoppit afoſaid, that the heires of every ſuch tenant in taile, againſt whom any ſuch feined recovery ſhall be had, ſhall take none advantage for any recompence in value againſt the vouchee or his heires.

4 Provided alſo that this Act or any thing

thing therein contained, be not in any wise prejudiciall or hurtfull to the lessee or lessees of any such tenēt in talle, made or to be made by writing indented, of any manors, lands, tenements or hereditaments, for terme of xij. yeares, three liues, or vnder, whereupon the accustomed rent & rents or more, is or shall bee reserved yearly during the same terme and termes: but the same lessee & lessees, shall and may have & enjoy his or their terme & termes therein against the heire and heires of every such tenant in talle, according to the tenor, purport, and effect of the statute made in the xxxij. yeare of the reigne of our Soueraigne Lord K. Henry the viij any thing in this act contained to the contrary thereof notwithstanding. See anno 32 H.8.ca.28, Leases 2.

An act that fines in townes corporate, shall be made as the same in time heretofore have bin. An 34.H.8.cap.22.

## Inrolments 2.

**W**here in the Parliament holden in the xxvij. yeare of our most dread Soueraigne Lord King Henry the eight. See the statute ment 32.H.8.cap.28. but all the prints bee 27.Hen.8. Ideo quere. It was enacted by authority of the said parliament amongst other, that no fine, lease, fement, or other act or acts hereafter to be made,

## Inrolments.

made, suffered, or done by the husband onely, of manours, lands, tenements, or hereditaments, being the inheritance, or the freehold of his wife, during the coverture betwene them: shall in any wise be or make any discontinuance thereof, or be prejudiciall or hurtfull to the said wife, or to her heires, or to such as shall haue right, title, or interest by the same, by the death of such wife, or wives: but the same wife & her heires, and such other to whom such right shall appertain, after her decease, shall and may then lawfully enter into all such manors, lands, tenements, and hereditaments, according to their rights and titles therein, any such fine, feoffment, or other act to the contrary notwithstanding. Whence & making of which act, diuers doubts, questions, & ambiguities haue risen, that is to say, whether the recoveries and deedes inrolled, which be in nature of fines, and wherupon women covert haue bin bled to be examined, taken, had, or knowledged, as well within the city of London, as in many other cities, boroughs, and townes within the Realme of England, should binde all such women covert, that should happē to be examined vpon the same recoveries & deedes inrolled. In auoiding therfore all such ambiguities & doubts:

2. Be it enacted by the king our soueraign Lord, the Lords spiritual & temporall, and the commons in this present parliament assembled, & by authority of the same, that all  
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recoueries, debtes enrolled, & releases here-  
 tofore knowledged & taken, or at any time  
 hereafter to bee taken & knowledged before  
 the Maiors, aldermen, recorder, chamber-  
 laines, or other head officer or officers, as  
 well of the citie of London, as of any other  
 city, borough, or towne corporate within the  
 realme of England, having power and au-  
 thoritie to take and receive the same, accor-  
 ding to the laudable blages & customes of  
 the said cities, boroughs & townes, & enery  
 of them, shall be, stand, and remaine of like  
 force, strength, & effect, to all intents & pur-  
 poses, as they or any of them were before  
 the making of the said Act in the said xxxij.  
 yere of our said soueraigne Lord: any thing  
 in the same contained to the contrary in any  
 wise notwithstanding.

An act against Vsurie, Anno 37.

H.8.cap.9.

Vsurie 1.

**W**here before this time, diuers and  
 sundry Acts, Statutes, and Lawes  
 haue bin ordeined, had & made with-  
 in this realme, for the auoiding & punishmēt  
 of Usurie, being a thing vnlawfull, and of  
 other corrupt bargaines, shifts, & chenaunces,  
 which acts, statutes, and lawes, bin so ob-  
 scure and dark in intents, wordes, & termes,  
 and vpon the same so many doubts, ambig-  
 uities,

Do

guities,

## Vsurie.

guities and questions haue risen & growne, and the same acts, statutes, and lawes bin of so little force oz effect, that by reason thereof little oz no punishment hath ensued to the offendours of the same, but rather hath encouraged them to vse the same.

2 For reformation wherof, be it enacted by the king our soueraign Lord, by the assent of the Lords spirituall & temporall, and the commons in this present parliament assembled, & by the authoritie of the same, that all and euery the said acts, statutes, and lawes heretofore made, of, for, oz concerning Usurie, shiftes, corrupt bargaines, and chicaneries, and euerie of them, and all paines, forfeitures and penalties concerning the same, and euery part thereof, shal from henceforth bee utterly void and of none effect, to all intents, constructions, and purposes.

3 And bee it further enacted by the authoritie aforesaid, that no person nor persons, of what estate, degree, oz condition soeuer he oz they bee, from & after the last day of January next comming, shal by himselfe, factor, attorney, seruant, oz deputie, sell his merchandises oz wares to any person oz persons, & within 3. months next after, by himselfe, factor, attorney, deputie, oz by any other person oz persons to his vse & behoofe, buy the same merchandises oz wares, oz any part oz parcell thereof, vpon a lesser price, knowing them to be the same wares oz merchandises, that he befoze did so bargain and sel, vpon

upon the paines and forfeitures hereafter limited in this statute.

4 And be it also enacted by the same authority, that no person nor persons of what estate, degree, quality, or condition soever he or they bee, at any time after the said last day of Januarie next comming, by way or meane of any corrupt bargaine, loane, exchange, cheuisance, gift, interest, of any wares, merchandises, or other thing or things whatsoeuer, or by any other corrupt or deceitfull way or meane, or by any count, engine, or deceitfull way or conueyance, shall haue, receiue, accept or take in lucre or gaines, for the forbearing or giuing day of payment of one whole yeare, of and for his or their money or other thing, that shall bee due for the same wares, merchandises, or other thing or things, aboue the summe of x. l. in the hundred, & so after that rate, & not aboue, of & for a more & lesse summe, or for a longer or shorter time, & no more or greater gain or summe thereupon to be had, upon the paines & forfeitures hereafter in this act mentioned and contained.

5 And be it farther enacted by authority aforesaid, that if any person or persons, at any time after the said last day of January, do bargain & sell, or lay to mortgage by any way or mean, any manors, lands, tenements, or hereditaments, to any person or persons upon condition of payment or nonpayment of any summe or sūmes of money, to be had,

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paid,

## Vfurie.

paied, or made, at any day certaine, or before any such day, by him that shall so bargain, sell or lay to mortgage, the same manours, landes, tenements, or hereditaments, that the same person or persons, to whom any such manours, lands, tenements, or hereditaments, shall be so bargained, sold, or layed to mortgage, shal not by reason thereof, haue ne take in incre or gaines of the issues, reuenues and profits of the same manours, lāds, tenements or hereditaments, aboue þ sum of x. l. in the hundred for one whole yeare, & so after the rate abovesaid, for a moze or a lesser summe, or for a longer or shorter time, and no moze nor otherwise, vpon the pains, forfeitures, and penalties hereafter in this present estatute limited and expessed.

6 And be it further enacted by the authority aforesaid, that if any person or persons of what estate, degree, qualitie, or condition soener hee or they be, at any time after the said last day of Januarie next cōming, shall doe any act or acts, thing or things contrary to the tenour, fourme, and effect of this estatute, or any clause, articles, or sentence contained in the same: that then all & every offendor & offendors therein, or in any part thereof, shall forfeit & lose for every such offence the treble value of the wares, merchādizes, & other thing or things, so bargained, sold, exchanged, or shifted, & the treble value of the issues & profits of the same manours, lands, tenements and hereditamētts, so had, taken,

taken or receiued, by reason of any such bargain, sale, or mortgage, & also shall haue and suffer imprisonment of his bodie, and make fine and ransome at the Kings will & pleasure. The moitie of which forfeiture of the said treble value shall be to the king, & the other moitie to him or them that will sue for the same in any of the kings courts by action of debt, bill, plaint, or information, in which action, bill, plaint, or information, no wager of law, essoine, or protection shall be admitted or allowed.

7 Provided alway, & be it enacted by the authoritie aforesaid, that this Act nor any thing therein conteyned, shall not in any wise extend to any lawfull obligation, indorced with a condition, nor to any statute or recognisance made and to be made, for the payment of a lesser summe, so that the same obligation, statute, or recognisance, be made for a true, iust, and perfitte debt, or for the performance of any other true covenants, made, or to be made, upon a iust and true intent had betwene the parties, other then in cases of vsurie, interest, corrupt bargaines, shift, or chicanance: Ne yet shall extend to any recovery, fine, freffement, release, confirmation, or graunt, made or to be made upon condition with a true intent: other then to such recoveries, fines, freffements, releases, confirmations, and graunts, as shall be made upon condition, extending to vsurie, interest, corrupt bargaines, shifts,



## Tenures.

or cheuifance: any thing this estatute contained, or any law, statut, or ordinance heretofore had, vsed, or made, to the contrarie notwithstanding.

8 [ This Act was repealed by a statute made Anno 5 E. 6. ca. 20. and thereby was prohibited & punished the lending, giuing, letting out, deliuering, or forbearing any summe of. for any maner vsurie, increase, lucre, gaue, or interest, to be had, receiued or hoped for, &c. which Statute is also repealed, and this reuised Anno 13. Eliz. cap. 8. which followeth hereafter.

An Act for Tenures holden in Capite,  
An 1. Ed. 6. cap. 4.

## Tenures 5.

**W**here before this time, ambiguities, questions, and doubts haue ben moued and stirred in diuers and sundry the kings courts of record, whether such honors, castels, manors, lands, tenements, and other hereditaments are holden of the king in Capite, which any his loyng subjects do hold by knights seruice, socage, or other seruices of the king, as of his Duchies, Earledomes, Baronies, honors, castels, manors, lands, tenements, fees, and feignories, which haue come to the hands and possession of diuers of his highnesse most noble progenitors, by attainder of treason,

treason, misprision of treason, attainders of  
 Præmunire and provision, had and done by  
 act of parliament, by verdict, confession, con-  
 viction, or outlawrie, and offices, or no offi-  
 ces thereupon found, or by the dissolution,  
 surrender, or giving by to the king or to any  
 his noble progenitors, of any religious or  
 ecclesiasticall houses or places, or of any  
 manors, lands, tenements and other heredi-  
 taments, to any of the same religious, or  
 ecclesiasticall houses or places, in any wise  
 appertaining or belonging or no. By  
 means of which doubt so moved, his said  
 humble & obedient subjects & tenants have  
 bene heretofore much inquieted, molested,  
 & grieved: Wherefore the king our sove-  
 raigne Lord, mind.ing & entirely desiring the  
 quietnes of his said subjects, & that the cer-  
 taintie of his lawes in that behalfe might  
 be knownen and declared to his said loving  
 subjects:

4 For a plaine declaration and resoluti-  
 on to be had, of, for, and concerning the  
 premisses, at the humble petition and suit  
 of the Lords and commons in this present  
 parliament assembled, doth ordeine, declare,  
 and enact, by the assent of the Lords spi-  
 rituall and temporall, and of the Commons  
 in this present Parliament assembled, and  
 by the authoritie of the same, that all such  
 honours, castles, manours, landes, tene-  
 ments, and other hereditaments, and tene-  
 rie of them, which now be, or at any time

## Tenures.

hereafter shall be holden of the king, or of any of his heires or successors, by any of his said subjects by knights service, socage or otherwise, as of any of his or their Dukes, Domes, Earldomes, Baronies, Castles, manors, lands, tenements, fees, or seigniories, which be come to the king, or his most noble progenitors, or hereafter shall come to the king, his heires or successors, by means of any such attainder, conviction, outlawrie, or of any such dissolution, surrender, or giving by of any religious or ecclesiasticall houses or places, or of any manors, lands, tenements, or hereditaments, to any of the said religious or ecclesiasticall houses or places, in any wise belonging or appertaining, shall not from henceforth be abridged, deemed, taken, or construed, to any intent, construction, or purpose, to be holden in Capite, or as tenure in Capite: any ambiguity, question, or doubt heretofore moved to the contrary notwithstanding. See a like matter Magna charta cap. 31.

3 Provided alwaies, and be it enacted by the authoritie aforesaid, that this act or any thing therein conteyned, shall not in any wise be prejudiciall ne hurtfull to the king, his heires or successors, to, for, or concerning any wardship, liverie, primer seisin, fine for alienation, or to or for any other profit or advantage, which now is come, or hereafter shall or may come, fall, or grow to the king, his heires or successors, by or fro any person

or

of persons, which now doth, or hereafter shall hold any honours, seignories, castles, manors, lands, tenements, or other hereditaments, of the king in chiefe, as of his person, or of any other his auncient possessions, & being not come to the king by any such attainder, confession, conviction, betragerie, dissolution, giving up, or surrender, as bee aforesaid.

4 Provided also, and be it enacted by the authority aforesaid, that this present act, or any thing therein conteyned, or specified, shall not in any wise, or by any meanes give any advantage, libertie, or profite to any tenant, or owner, in fee simple, of any honours, manors, lands, tenements, or other hereditaments, which have heretofore sued any speciall or generall Liverie, and Ousterle maine, out of the hands of the king, or of any his noble progenitors, of any honours, manors, lands, tenements, or other hereditaments, by what tenure or service they were, or be holden: or that have, or shall confesse, by any matter of record, any tenure in chiefe, of the King, but that they, their heires & assigns, shall have and hold the same manors, lands, tenements, and other hereditaments, in like maner & forme, as they did before the making of this present Act, and as though this present Act had never bin had ne made: any thing above declared and enacted to the contrarie notwithstanding,

Am

## Discontinuance of proces.

An Act for the continuance of actions after the death of any King. An. 1. Ed. 6. ca. 7.

### Discontinuance of proces 1.

**F**rom henceforth by the death, or demise of the Kings Majestie that now is, (whose life Almighty God long preserve, keepe, & maintaine in his most royall estate) nor by the death or demise of any that hereafter shall be King of this Realme, any action, suit, bill, or plaint, now or that hereafter shall depend betwene party and party, in any of the Courts aforesaid, .i. the Kings Courts, and other Courts of Records, shall not in any wise be discontinued, or put without day.

2 But that proces, pleas, demurres, and continuances in every action, actions, suits, bills, or plaints, which now, or that hereafter shall depend, shall stand good & effectfull, & be prosecuted & sued forth in such maner & forme, & in the same estate, condition and order, as, if the same King had lived, or continued in full life: the death or demise hereafter of any King of this Realme notwithstanding.

3 And that all and all maner of iudiciall proces that hereafter shall be had, or pursued in the time of the reigns of any other King, then reigned at the time of the pursuit of the originall, or other former processe, shall be made in the name of the King, that

## Discontinuance of proces. 208

that for the time shall raigne, and be king of this Realme, and that variance touching the same proces betwene the names of the kings, shall not be in any wise materiall, as concerning any default to be alleadged, or objected therfore.

4 And also be it further established and enacted by the authoritie aforesaid, that all and euerie Assise of Nouel disseisin, Assise of Mortdauncester, Iuris virum, and Attaint, which at any time hereafter shall be arraigned, commenced, or sued befoze any of the Kings Iustices of Assise, shall not from henceforth be discontinued or put without day, by reason of death, new commission, association, or not coming of the same Iustices of assise, or any of them, but shall stand good and effectuell in the law, to all intents, constructions, and purposes: the death, new commission, association, or not coming of the same Iustices, or any of them, in any wise notwithstanding.

5 And ouer that, be it ordeyned and enacted by the authoritie aforesaid, that albeit any demaundant or plaintiffe in any maner of action, bill, or suite, shall fortune to be made, or created Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Justice of the one bench, or of the other, or Sergeant at law, depending the same action, bill, or suit, yet that notwithstanding, that no Writ, Action, or suit shall for such cause in any wise be abatable  
or

## Discontinuance of proces.

or abated, but shall remaine in like force, goodnes, and strength, as the same was before: any law or vsage to the contrarie in any wise notwithstanding.

6 And also it is ordeyned and enacted by the authoritie aforesaid, that albeit any person or persons being Justice of Assise, Justice of Gaole deliuerie, or Justice of peace within any of the Kings Dominions, or being in any other the Kings Commissions whatsoever, shall fortune to be made, or created Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Justice of thone bench, or of the other, or Sergeant at Law, or Sheriffe, yet that notwithstanding, he and they shall remaine Justice and Commissioner, and haue full power & authoritie to execute the same, in like maner and forme as he or they might, or ought to haue done before the same.

7 And be it ordeyned and enacted by the authoritie aforesaid, that in all cases, where any person or persons heretofore haue been, or hereafter shal be found guiltie, of any manner of treason, murder, manslaughter, rape, or other felonie whatsoever, for the which iudgement of death shoulde or may ensue, and shalbe repzied to prison without iudgement at the time giuen against, him, her, or them so found guiltie, that those persons that at any time hereafter shall by the Kings Letters Patents be assigned Justices to deliuer the gaols, where any such person or persons

## Discontinuance of proces. 209

sons found guiltie shall remaine, shall haue full power and authoritie to geue iudgement of death against such person so found guilty & reprieved, as the same Justices (before whom such person or persons was, or were found guiltie) might haue done, if their Commission of Gaole deliuerie had remained and continued in full force and strength. And ouer that, that no manner of processe, or suite made, sued, or had before any Justices of Assise, Gaole deliuerie, Oyer and Terminer, Justice of peace, or other of the Kings Commissioners, shall, ne in any wise bee discontinued by the making and publishing of any new Commission or association, or by altering of the names of the Justices of Assise, Gaole deliuerie, Oyer and Terminer, Justices of peace, or other the Kings Commissioners, but that the new Justices of Assise, Gaole deliuerie, and of the Peace, and other Commissioners may proceed in euery behalfe, as if the olde Commissions, and Justices, and Commissioners had still remained and continued not altered.

An act



## Monasteries.

An act whereby certaine Chaunteries, Colledges, Free chappels, and the possessions of the same, bee giuen to the Kings Maiestie, Anno 1. Edw. 6. cap. 14. Wherein is recited an Act made 37. H. 8. cap. 4. made for seising into his Maiesties hands, all Colledges, Free chappels, Chauntries, &c.

## Monasteries 13.

**T**he Kings most louing Subjects, the Lozds spirituall and tempozall, and the Commons in this pzesent Parliament assembled, considering that a great part of superstition & errors in Chzistian Religion, hath bene brought into the mindes and estimation of men, by reason of the ignorance of their very true & perfect saluation, thzough the death of Iesus Chzist, and by deuising and phantasying vaine opinions of Purgatozry, and Masses satisfactorie, to bee done for them which bee departed. The which doctrine & vaine opinion, by nothing moze is maintained and vpholden, then by the abuse of Trentals, Chauntries, & other pziouisions made for the continuance of the said blindness and ignorance.

2 And further considering and vnderstanding that the alteration, change, & amendingment of the same, and conuerting to good and godlie vles, as in erecting Grammer Schooles, to the education of youth in vertue

me and godlinesse, the further augmenting of the Universities, and better prouision for the poore and needy, cannot in this present Parliament be prouided, and conveniently done, nor cannot, ne ought to any other manner person be committed, then to the Kings highnesse, whose maiestie, with, and by the aduise of his highnesse most prudent Councell, can, and will most wisely, and beneficially, both for the honour of God, and the weale of his Maiesties Realme, order, alter, conuert, and dispose the same. And calling further to their remembrance, that in the Parliament holden at Westminster, the xxxvij. yeare of the raigne of our late soveraigne Lord king Henry the eight, father to our most dread and naturall soveraigne Lord the King that now is, cap. 4.

3 It was ordained, enacted, and established amongst other things, that all and singular Colledges, Free Chappels, Chauntries, Hospitals, Fraternities, Brother-hoods, Guilds, and other promotions mentioned in the said former Act, had or made to have continuance in perpetuities for ever, and then being, or that had, or ought to be contributory or chargeable to the payment of the first Fruits and Tenths, according to the Lawes and Statutes in that behalfe had, and made, by what name, surname, degree, or corporation, they or any of them were founded, ordained, established, created, named, called, or knowne, and all  
and

## Monasteries.

and singular the mansions, houses, manors, orchards, gardens, lands, tenements, pastures, woods, waters, rents, reuerſions, ſeruices, commons, tithes, penſions, porcions, churches, chappels, aduowſons, nominations, patronages, annuities, rights, incereſtes, entries, conditions, lates, courts, liberties, priuiledges, franchises, and other hereditaments whatſoever then appertaining, or belonging, or that did appertaine, or belong, or were aſſigned, or appointed to any ſuch colledge, free chappell, chauntrie, hoſpitall, fraternity, brotherhead, guild, ſtipendarie prieſt, or other the ſayd promotions, or to any of them, or accepted, knowne, or taken as part, parcel, or member of them, or any of them: and to the ſaid colledges, chauntries, free chappels, hoſpitals, fraternities, brotherhed, guild, ſtipendarie prieſts, or other promotions, or to any of them vniſted, or annexed, which betwene the fourth day of February, in the xxvij. yere of the ſaid late kings raigne, and the xxv. day of December, in the xxxij. yere of his graces raigne, by reaſon of any entrie, expulſion, bargaine, ſale, or ſcoffement, fine, reuerſie, leaſe, or other conueiance therof made, were diſſolued, determined, or relinquished by any of the waies, meanes, or conueiances, mentioned in the ſaid Act, or otherwiſe, other then ſuch of them, as then were in the poſſeſſion of the ſaid late King, or that were granted or aſſured by his licence, agrément, conſent,

sent or letters patents to any person or persons, or then had bene lawfully obtained, or reconered by any person, by any former right or title, without fraude or couyn, or by the kings licence: shall from henceforth by authoritie of the same former act, be abridged and deemed, and also be in the verie actual and reall possession and seisin of the said late king, and of his heires and successors for ever, in as large and ample maner, as the said priestes, wardens, master, ministers, gouernors, rulers, or other incumbents, or any of them, or the patrons, donors, or founders of any of them, at any time sithence the said iij. day of Februarie, in the xviij. yere aforesaid, had, occupped, or enioyed, or then had, occupped or enioyed the same, and as though all and singular the said colledges, chauntries, hospitalls, free chappels, fraternities, brotherheds, guilds, and other the said promotions, and the sayd manors, lands, tenements, hereditaments, and other the premises, whatsoener they be, and euery of them, had bene in the said former act, specially, particularly, & certainly, rehearsed, named, and expressed, by expresse wordes, names, surnames, corporations, titles, and faculties, and in their naturall kindes & qualities: the said entries, expulsions, bargaines, sales, fines, feoffements, reconeries, or other assurance, & conuelance whatsoener they were, had or made, (except before in the former Act excepted) to the

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## Monasteries.

contrary notwithstanding.

4 And, where also it was enacted and granted by the said late King, by the sayd former act, that the same late King during his naturall life, might make and direct his commission & commissions vnder his great seale, to enter into all and singular such and as many chauntries, free chappels, hospitalls, colledges, and other the promotions mentioned in the said former Act, and into all and singular such manours, mansions, houses, meases, landes, tenements, pastures, woodes, waters, rents, reuerfions, seruices, possessions, and other hereditaments whatsoeuer, or into any part or parcel thereof, in the name, seisin, and possession of all the hereditaments, annexed, vntited, belonging or appertaining to any Chauntre, Hospitall, free Chappel, Colledge, Fraternitie, Brotherhed, Guilde, or other the said promotions, or whereof any priestes, prouostes, gouernours, rulers, or other incumbents, of them, or any of them, by what name, surname, degree, title, or corporation, they, and euerie of them, or any of them were founded, created, ordained, established, named, called, or knowne, then had, or intoyed, or that hereafter should haue, or intoy, to the sayd chauntries, hospitalls, free chappels, colledges, fraternities, brotherheads, guilds, or other the said promotions, that then were chargeable to the payment of the first fruits and tenthes, and

and all colledges that were chargeable, or not chargeable to the sayde payment of the first fruits & tenths, as is aforesaid, or to any of them, as should be named, expessed, & appointed in the said commission or commissions, and to seise & take the same chantries, hospitals, colledges, free chappels, fraternities, brotherheds, guilds, and other & said promotions, manours, lands, tenements, & other the premises mentioned in the said commission or commissions, and in euery of them, and euery part, parcel, and member of the same, into the Kings possession and hands, to haue and to hold the same to the said late King, and to his heires and successours for ever, as by the said former act amongst other things more at large appeareth.

5 It is now ordeined and enacted by the king our soueraigne Lord, with the assent of the Lords and Commons in this present Parliament assembled, and by the authoritie of the same, that all manner of Colledges, free Chappels, and Chauntries, having being, or in Esse, within five yeares next befoze the first day of this present parliament, which were not in actuall and reall possession of the said late King, nor in the actuall and reall possession of the King our Soueraigne Lord that now is, nor excepted in the said former Act, in foure abouesaid, other then such as by the Kings commissions, in foure here:

## Monasteries.

after mentioned, shalbe altered, transposed, or chaunged, and all manours, lands, tenements, rents, tythes, pensions, portions, and other hereditaments, and things aboue mentioned, belonging to them, or any of them, and also all manours, lands, tenements, rents, and other hereditaments, and things aboue mentioned, by any manner of assurance, conueyance, will, deuise, or otherwise, had, made, suffered, knowledged, or declared, given, assigned, limited, or appointed to the finding of any priest, to haue continuance for ever, & wherewith, or wherby, any priest was sustayned, mayntained, or found within five yerres next befoze the first day of this present parliament, which were not in the actual & real possession of the said late king, nor in the actuall and reall possession of our soueraigne Lord the King that now is, and also all annuall rents, profites, & emoluments, at any time within 5. yeares next befoze the beginning of this present parliament, employed, paid, or bestowed, toward, or for the maintenance, supportation, or finding of any stipendary priest, intending by any act or writing to haue continuance for ever, shall by the authoritie of this present parliament, immediatly after 8. feast of Easter next comming, be aduindged & deemed, & also be in the very actuall & reall possession and seisin of the king our soueraigne lord, & his heirs & successors for ever, without any office or other inquisition thereof to be

be had or found, and in as large & ample manner and forme as the priests, wardens, masters, ministers, gouernors, rulers, or other incumbents of them, or any of them, at any time within five yerres next before the beginning of this present parliament, had, occupied, or enjoyed, or now hath, occupieth or enjoyeth the same, and as though all and singular the said Colledges, fra Chappels, chauntries, stipends, salaries of priests, & the said manors, lands, tenements, hereditaments, & other the premises whatsoever they be, and enery of them, were in this present act specially, particularly, and certainly rehearsed, named and expressed by expresse words, names, surnames, coppozations, titles and faculties, & in their natures, kinds and qualities.

¶ And ouer that be it ordeyned & enacted, by the authozity of this present parliament, that where any manors, lands, tenements, tithes, pensions, portions, rents, profits, or other hereditaments, by any maner of assurance, conueyance, will, devise, or otherwise at any time heretofore had, made, suffered, knowledged, or declared, were given, assigned or appointed, to, or for the maintenance, sustentation, or finding of one priest, or of diuers priests for terme of certain yerres yet continuing, & that any priest hath bin maintained, sustained or found with the same or with the revenues or profits thereof, within in five yerres last past, that the King, from



## Monasteries.

the said feast of Easter next comming shall haue & enioy in euery behalfe, for & during all such time to come, euerie such and like things, tenements, hereditaments, profits, & emoluments, as the priest or priests ought or should haue had for or toward, his, or their maintenance, sustenance, or finding, and for no longer, or further time, nor for any other profite, aduantage, or commodity, thereof to be taken.

7 Provided alway, & it is ordeined & enacted by the authoritie of this present Parliament, that when & as long as the time assigned for the maintenance, sustentation or finding of the priest or priests, shall be expired and runne, that then it shall be lawfull to euerie person or persons, to whom any manors, lands, tenements, tithes, portions, pensions, rents, and other hereditaments, or any of them should haue belonged or appertained, if the said former act, & this act had neuer bin had or made, to enter into, take, perceiue, haue, and enioy the same without any maner of liuerie, Ouster le main, petition, or other suit to be made to the king, in like maner, forme, and condition to all intents, constructions, and purposes, as though the said former act, and this act had neuer bene had or made, and as though the king had neuer had any sealon, or possession thereof: any thing in the said former act, or in this act, to the contrarie in any wise notwithstanding.

8 And be it ordeyned and enacted by the authoritie of this present Parliament, that the King our Soueraigne Lord, his heires and successors, from the said feast of Easter next comming, shall haue, hold, perceiue, and enioy for ever, all landes, tenements, rents, and other hereditaments, which by any maner of assurance, conueiance, wills, will, deuise, or otherwise at any time heretofore had, made, suffred, knowledged, or declared, were giuen, assigned, or appointed, to goe or be employed wholly to the finding or maintenance of any anniuersarie, or obite, or other like thing, intent, or purpose, or of any light or lampe, in any Church or Chappell, to haue continuance for ever, which hath been kept or maintained within five yeares next before the said first day of this present parliament.

9 And also that where but part of the issues or reuenues of any manors, lands, tenements, rents, or other hereditaments hath by any of the waies and meanes abovesaid, been giuen, assigned, or appointed to be bestowed or imployed to the finding or maintenance of any anniuersary or obite, or other like thing, intent, or purpose, or of any light or lampe in any Church or Chappell, and to haue continuance for ever, that then our Soueraigne Lord the King shall from the said feast of Easter next comming, for ever, haue, perceiue, & enioy such summes of money, & in any one yere within 5. yeares next

## Monasteries.

before the first day of this present Parliament hath bin expended & bestowed about the finding or maintenance of any such anniversary, or obit, or other like thing, intent, or purpose of any light or lamp, to him, his heirs, & successors for ever, as a rent charge to be paid yearly at the feasts of S. Michael the Archangel, & the annunciation of our Lady S. Mary the Virgin, by exchequers in the kings court of Augmentations, & revenues of his crowne, or in any other court or courts, as the king hereafter shall appoint.

10 And that it shall be lawfull to our said soueraigne Lord the King, his heirs and successors, for non payment of any such summe or summes of money, to distraine in the said manors, lands, & tenements of the issues & revenues, whereof the said anniversary, or obit or other like thing, or any such light or lampe was found, sustained, or maintained.

11 And that for lack of sufficient distresse in or upon any of the premises, whereof any of the said yearly rents or summes of money should be paid by the space of one moneth next after that any of the said rents should be paid, & be not paid within the said moneth: that then it shall be lawfull to & for our soueraigne Lord the King, his heirs and successors, by vertue of this present act, to enter into, and to have and possesse as much of the lands, tenements, and hereditaments,

taments, wherof the said rent or rents should be leuied or payed, as the rent or rents that should be leuied or payed out of the same, both or that amosist or come to in yerely value, & the same lands, tenements, & hereditaments, to hold & keepe, & to haue to our said soueraigne Lord the king, his heires, & assigns for ever, or for such estate as our soueraigne Lord the king, his heires or successors, had, or ought to haue had, of, or in the said rent or rents.

12 And it is also ordeined & enacted by the authority of this present Parliament, that our soueraigne Lord the king, shal from the said Feast of Easter next comming, haue, perceiue, and enioy all and singular such summes of money, profits, commodities and emoluments, which by vertue of any manner of assurance, conueyance, composition, will, deuise, or otherwise, heretofore haue bene giuen, assigned, limited, or appointed to haue continuance for ever, which in any one yeare, within five yerres next before the beginning of this present parliament, haue bene payed, bestowed, or employed, by any manner of corporations, guildes, fraternities, companies, or fellowships of misteries or crafts, or any of them being in England, Wales, and other the kings dominions, or by the Masters, Wardens, Gouvernors, or other officers or ministers, or by the master, warden, gouverneur, or other officer, or minister of them, or any of them, toward or  
about

## Monasteries.

about the finding, maintenance, or sustentation of any priest or priests, of any annuallarie or obite, lampe, light, or lights, or other like thing, as is aforesaid, to our said soueraigne Lord the King, his heyses and successours for ever, to be paid yearly as a rent charge, at the feasts of Saint Michaell the Archangell, and the Annunciation of our Lady, by even portions, in the Kings Court of Augmentations, and revenues of his crowne, or in any other court or courts, as the king hereafter shall appoint.

13 And that it shall be lawfull to our said soueraigne Lo: the king, his heires & successours, for non paymēt of any such summes or summe of money, profit, commodity, or emolument, or for non payment of any of them, to distraine in all the manors, lands, tenements of every such craftes, corporations, guilds, fraternities, companies, or fellowshipes of mysteries or craftes, or any of them, by whom or by the masters, wardens, governors or other officers, or ministers, or master, wardein, governour or minister of the which any such summes or summe of money, profite, commoditie or emolument, have or hath ben paid, bestowed or employed. And that all and every of the said summes of money, profits, commodities, & emoluments, shal from the feast of Easter next comming, without any manner of inquisition or offices to be had or found, be indged and deemed to be

be in the actual & reall possession of our said  
 soueraigne Lord the King, in like manner  
 and forme to all intents, constructions,  
 and purposes, as if the same had been parti-  
 cularly and specially mentioned in this pre-  
 sent act.

14 And furthermoze be it ordeyned & en-  
 acted by anthozitie aforesaid, that the King  
 our soueraigne Lord, shall from the said  
 feast of Easter next comming, haue and en-  
 ioy to him his heires & successozs for ever,  
 all fraternities, brotherheds & guilds, being  
 within the Realme of England & Wales,  
 & other the kings dominions, & all manors,  
 lands, tenements, & other hereditamēt's be-  
 longing to them or any of them (other then  
 such corporatibz, guilds, fraternities, com-  
 panies & fellowshipes or misteries, or crafts,  
 & the manors, lands, tenements, and other  
 hereditaments, pertaining to the said cor-  
 porations, guilds, fraternities, companies, &  
 fellowshipes of misteries or crafts, aboue  
 mentioned,) and shall by vertue of this Act  
 be iudged and deemed in actual & reall pos-  
 session of our said Soueraigne Lord the  
 King, his heires and successours, from the  
 said feast of Easter next comming for ever,  
 without any inquisition or office thereof to  
 be had or found &c. Winer's things touching  
 commissions, for the larceny and disposition  
 of the premises.

15 And also be it ordeined and enacted by  
 the anthozitie of this present Parliament,  
 that

## Monasteries.

that our soueraigne lord the king shall have and enioy, all such goods, cattels, Jewels, plate, ornaments, and other moneables, as were or be the common goods of enery such colledge, chauntrie, free chappell, or stipendary priest, belonging or annexed to the furniture or seruices of their seuerall foundations, or abused of any of the said corporations in the abuses aforesaid, the property whereof was not altered nor changed before the eight day of December, in the yeare of our Lord God 1547.

16 And it is also ordeyned and enacted by the authoritie of this present parliament, that all such debts & summes of money, as ought or should without fraud or conin hereafter be payed of the money or goods of any of the said colledges, due or payable by reason of any contract, specialtie, or promise, had or made before the same eight day, shall truly and fully be payed by the Treasurer of the Kings Court of the Augmentations and revenues of his crowne, or by the treasurer or receiuer of any other Court, to which any of the premises shall be appointed, of the kings treasure, being in his or their hands, with as conuenient speed as the same may be paid.

17 Provided alwayes, and be it ordeyned and enacted by the authoritie aforesaid, that this act or any article, clause, or matter conteyned in the same, shall not in any wise extend to any colledge, hostell, or hall, being  
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within either of the Vniuersities of Cambridge and Oxford, nor to any Chauntry founded in any of the colledges, hostels or halles, being in the same vniuersities, nor to the free Chappell of Saint George the Martir, situate in the Castell of Windsor, nor to the Colledge called Saint Mary Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham, nor to the Colledge of Eaton, nor to the parish church, commonly called the Chappel in the sea in Newton, within the Isle of Elle, in the Countie of Cambridge, nor to any manours, lands, tenements, and hereditaments, to them or to any of them pertaining or belonging, nor to any Chappell made or ordeined for the ease of the people, dwelling distant from the Parish Church or such like Chappell, whereunto no more lands, or tenements, then the churchyard, or a little house or close, doth belong or pertaine, nor to any Cathedrall Church or colledge where a Bishops see is within this realme of England, or in Wales, nor to the manors, lands, tenements, or other hereditaments, of any of them (other then to such chauntries, obites, lightes, & lampes, or any of them, as at any time within sixe yeeres next befoze the beginning of this present parliament, haue bin had, bled, or maintained within the said Cathedrall churches, or within any of them, or the issues, revenues, or profits of any of the said cathedrall churches



## Monasteries.

churches, to which chantries, obites, lights & lampes, it is enacted by the authority aforesaid, that this act shall extend.

18 And it is ordeined and enacted by the authoritie aforesaid, that our Soueraigne Lord the king, at any tyme during his life, (which God long preserve) may at his will & pleasure, alter & change & name or names of all & singular chantries, & the foundation of the same, being in any of the colleges, hostels, or halls of any of the said Universities, according as to his Godly wisdoms shalbe thought meet and convenient.

19 Having to all & every person and persons, bodies politique and corporate, their heirs & successors, and the heirs & successors of every of them, (other then the Masters, wardens, Ministers, Gouvernoirs, rulers, priests, incumbents, fellows, and brethren of the said colleges, chantries, free chapels, or other the premises, given, limited or appointed to the King by this act, and the successors of them, and every of them: and other then such as be, or pretend to be founders, patrons or donors of the premises, or any of them, or of any part or parcell thereof, and the heirs, successors, and assignees of every, or any of them: and other then such as be, or were seignors, reconerers, confessees, grantees or devisees, of any of the premises, to, or for any of the uses, purposes, or intents above mentioned, or to the use of any of the said colleges, free chapels, chan-

chantries, or other the premises, given, limited, or appointed by this Act to the king, or to the intent to imploy the rents or profits thereof, to the use of Masters, Rulers, incumbents, or ministers of them, or any of them: and other then such person & persons, and bodies politike & corporate, their heires, successors and assignes, as claime or pretend to haue estate, right, title, interest, use, possession, or condition, of, in, or to the premises, or any part or parcel thereof, by reason of any feoffment, fine, bargain, & sale, or by any other waies, meanes, or conueyance, to them made, of any estate of inheritance, without the said late kings licence, assent, consent, or agreement, and without the licence, assent, or agreement of the kings Maiestie that now is, by any of the sayde Deanes, Masters, wardens, Ministers, Governours, Rulers, Priests or Incubets, or by the foundors, Donors, or patrons of them, or of any of them, all such right, title, claime, possession, interest, rents, annuities, commodities, commons, offices, fees, leases, lueries, luyings, pensions, portions, debts, duties, and other profits, which they, or any of them lawfully haue, or of right ought to haue, or might haue had, in, of, or to any of the premises, or in, of, or to any part or parcel thereof, in such like manner, forme, & condition, to all intents, respects, constructions, and purposes, as if this Act had neuer bene had nor made, & as though the

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the said chauntries, colledges, and other the said promotions had still continued and remained in their full being.

20 And saving to all and every patron, donor, foundor, or governor, of any such colledge, chauntie, free chappell, stipendarie Priests, and other the premises, given, limited, or appointed to the King by this act, and the donor, lessor, and giver of the aforesaid lands, tenements, or hereditaments, to them, or any of them, or to any uses or purposes before mentioned, all such rents services, rents secke, rents charge, fees, annuities, profits, & offices: and also Leases for terme of life, lives, and yeares, whereupon the accustomed rent or more is reserved, as they or any of them lawfully had, perceived & enjoyed, in, out, or of any the said promotions, or out of any of the said lands, tenements, or hereditaments, before the first day of this present parliament.

21 And over that it is ordeined &c. that those then living which had received any money for any of the premises, should repay it, and of one clause, that the premises shall be in the turney and order of the Court of Augmentation.

22 And it is further enacted by the authority aforesaid, that if any of the said Masters, Wardens, Ministers, Rulers, governors, priests, incumbents, or owners of any such colledge, chauntie, free chappell, or of any the premises, given, limited, or appointed

pointed to the King by this Act or any of them, sithens the xxij. day of November, in the xxvij. yeare of the raigne of the said late King, haue made any lease vnder his or their common seale or otherwise, for terme of yerres, life, or lines, of their said colledges, chauntries, free chappels, or of other the same premisses, or of any part thereof, or of any manors, lands, tenements, possessions or hereditaments, whatsoeuer they bee, to them, or to any of them vntied or annexed, belonging or appertaining, vpon the which leases, the vsuall and olde rents and termes accustomed to be payden and reserued, or moze, by the space of xx. yeares, next befoze the said xxij. day of November, not reserued and payden, shall be vtterly void and of none effect.

23 And that all other leases and graunts heretofore made of any the premisses, giuen, limited or appointed to the King by this act, shall be as good, auailable and effectual in the law, to all intents, constructions and purposes, as if this act had neuer bin had or made: any thing in this act, or any other act heretofore had or made to the contrary thereof in any wise notwithstanding.

24 Provided alwaies, & be it further ordained and enacted by the autho<sup>r</sup>ite afoze-  
said, that this act or any thing therein contained, shall not extend to any manours, lands, tenements, possessions, or hereditaments, which the said Masters, wardens,

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## Monasteries.

ministers, chauntries priests, incumbents, or other the said governours, officers, ministers or rulers of the premises, or of any of them, hath, or is, or hereafter shall have or be possessed or seised of, in fee simple, fee tail generall or speciall, for terme of life, terme of yeares, or otherwise, to his or their owne proper uses, by inheritance or purchase: and not being in any time united or annexed to his or their said colledges, free chappels, chauntries, or other the premises, given, limited, or appointed to the King by this Act, nor shall extend to any manors, lands, tenements, possessions, rentes, annuities, and yearly pension or portions, or to any yearly summe or summes of money, being not united, or parcell of any of the said colledges, and other the premises aforesayd, or of any of them heretofore given or granted by the said late king, or given or granted, or hereafter to bee given or granted by the King our soueraigne Lord, to any of the said Deanes, Masters, Wardens, Ministers, Chauntries priests, Incumbents, Governours, or Rulers of the premises, or of any of them for terme of life onely, vnder his great Seale of England, or vnder the seale of the Court of the Augmentations and revenues of the kings crowne, or any other of the kings seale of any of his Courts: any thing contained in this act to the contrary in any wise notwithstanding.

25. Provided alway, and be it enacted by  
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authoritie aforesaid, that as well all & every  
patron, donor, foundour, and giver of any  
of the said promotions or premises, or gi-  
uer, donor, or feoffor of any their lāds, tene-  
ments, possessions, or other hereditaments,  
as all and every person or persons, bodies  
politike or corporate, which before the ma-  
king of this act, lawfully without fraude or  
coatin, had or enjoyed any manner of rent, or o-  
ther perely profits to be taken, perceived or  
had, of any chauntries, colledges, free chap-  
pels, or other the premises given, limited,  
or appointed to the King by this act, or out  
of any manours, lands, tenements, or other  
possessions of them, or any of them, shal have  
and enjoy the same, in like manner and  
fourme, as they shoulde and ought to have  
done, if the said colledges, chauntries, free  
chappels, and other the premises, given, li-  
mited, or appointed to the King by this act,  
had still remained and continued in esse,  
and ful being: any thing in this act menti-  
oned to the contrarie in any wise notwith-  
standing.

26 Provided also, & be it enacted &c. a dis-  
charge of those first fruits, which after the  
first day of this Parliament shoulde growe  
due for the premises.

27 Provided alwaies, and be it enacted by  
the authoritie aforesaid, that all such rents,  
services, dues, profits and other summes of  
money payable out of, or for any of the pre-  
mises, or any of them, in the kings court of

## Monasteries.

his Archequer, shall continue, & be continually and verely leuied, charged, or paid in the same court, in such maner & forme, as here-tofoze hath been vsed: any law, custome, vicarie of possession in the Kings highnesse, or other thing to the contrarie notwithstanding: and as though the said promotions, manours, landes, tenements, and other the premises had not come to the Kings hands or possession.

28 And be it further enacted by the authority aforesaid, that all & euery letters patents made by the said late King Henry the eight, or by the Kings Maiestie that now is, or hereafter to be made by his highnes to any person or persons, or to any Archbishop or Bishop, of any of the sayd colledges, chauntries, free chappels, or other the premises, or any part or parcell of the, or of any lands, tenements, or hereditaments, belonging or appertaining, or that did belong or appertain to them, or to any of them.

29 And all fines, gifts, grants, feoffments, recoveries, & all other assurances and conuiesances thereof had or made, by the assent, consent, or licence vnder the great seale of England, of the said late king H. 8. or of the Kings Maiestie that now is, to any person or persons, bodies politike or corporate, by any chauntre priest, master, warden, minister, ruler, gouernour, or other hauing any of the said promotions, of any of the said colledges, chauntries, free chappels, or other  
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the premises, or of any of the, or of any part  
parcell, or member of the same, shall stand and  
be in their forces and effects, & shall be good  
and effectually in the law, for such estates &  
interestes, given, graunted, limited or ap-  
pointed in any of the gifts, graunts, assu-  
rances or conueyances thereof had or made,  
according to their purports, forme and ma-  
ner, and according to the true intent & mea-  
ning of the same assurances, and shall be by  
authoritie of this act good, perfect, and auai-  
lable as well against the King, his heires  
and successors, as against the said chauntry  
priests, wardens, masters, rulers, gover-  
nors, and other hauing any of the said pro-  
motions, and their successors, and the suc-  
cessors of euerie of them: also against the  
foundors, donors, and patrons of the same,  
and the ordinary of them and euerie of them,  
and the heires and successors of euerie of  
them: Inp lawe, statute, ordinance, or o-  
ther thing to the contrary thereof notwith-  
standing.

30 And where diuers & sundry Bishops,  
deacons, archdeacons, treasurers, prebenda-  
ries, chauntry priests, masters, pronostes,  
rulers, gouernours of any Deanries, arch-  
deanries, treasurerhips, prebends, free  
chappels, chauntries, or colledges, within  
this Realme of England, and other the  
Kings Maiesties dominions, or any of the  
Patrons, foundours, or donors, of any of  
the Bishopricks, Treasurerhips, Dean-  
ries,



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ries, chauntries, free chappels, or other the said spirituall promotions, of their voluntarie wills or mindes, for diuers good and reasonable causes and considerations, by deed or deedes inrolled, or by other writings or conueyances heretofore giuen and graunted to the late King of famous memorie Henry the eight, late King of England, and to his heires, or to our Soueraigne Lord the King that now is, and to his heires, diuers of the deanries, arch-deanries, Treasurershippes, Prebends, chappels, chauntries, and colledges, or any other Ecclesiasticall or Spirituall promotions, last befoze remembred, and all or some part of the mannours, lands, tenements, tythes, pensions, annuities, rents, reuerfions, and other reuenues, hereditaments, possessions, emoluments, and profits to the same Will, or whiches, Deanries, colledges, and other like promotions, benefices, offices, and dignities, or to any of them belonging, appertayning, vntied, or annexed, or which the said Bishoppes, deanes, archdeacons, treasurers, chauntre priestes, Masters, Monks, Rulers, gouernours, and other ecclesiasticall or spirituall officers or ministers, or any of the said patrons, donors, or foundours, or any of them, had or enjoyed, in the right, or by reason of any of the same promotions, offices, or dignities.

13 Well enacted by the authoritie afoze-  
said,

said, that all and every gifts and graunts heretofore made to the said late King, and to his heyes, or to our soneraigne Lord the King that now is, and to his heyes, by any Archbishop, Bishop, Deane, Archdeacon, Treasorer, Prebendarie, Master, Promost, Governour, or other the said Ecclesiasticall or Spirituall person or persons, or by any patron, donour, or foundour of any of the said Deanries, Chauntries, or other of the said spirituall or ecclesiasticall promotions, or of all, or any of the manours, landes, tenements, tythes, rents, reuerfions, pensions, portions, annuities, or other hereditaments, revenues, emoluments, profites, or commodities to any of the said benefices, offices, prebends, promotions, or dignities belonging, appertayning, united, or annexed, or which any of the same Archbishops, Bishops, Deanes, Archdeacons, treasurers, masters, promostes, prebendaries, rulers, governours, officers, or ministers, patrons, foundours, or donors, had or enjoyed, or haue, or enjoy, or ought to haue or enjoy, in the right, or by reason or meanes of any of the same promotions, offices or dignities, shall be good and effectuall in the Law to all intents & purposes. Having to all & every person and persons, and bodies politike & corporat, their heires, successors, & assigns, and to the heires, successors, and assigns of every of them (other then the archbishops, bishops, deanes, arch-

## Monasteries.

deacons, treasurers, prebendaries, rulers, governors, wardens, provosts, governors, and grantors of any of the premises, and their heirs, successors, and assigns, & other then such ecclesiasticall or spirituall persons, bodies politike or corporate, as are or pretend to be foundours, donors, patrons, or Ordinaries of the premises, or any of them) all such rights, titles, interestes, claimes, entries, rents, reuerfions, remainders, fees, offices, annuities, lands, tenements, hereditaments, profits, commodities, & emoluments, as they or any of them haue, or should or ought to haue had, of, in, or to the premises, next aboue mentioned, or any part thereof, as if this act had neuer bin had or made; any thing in this act to the contrarie in any wise notwithstanding.

32 Provided alwaies, that this act or any thing therein contained, shal not in any wise extend to make good or effectuall, any gift, graunt, bargaine, sale or alienation made by any parson or vicar of their parsonages or vicarages, or of any part or parcell thereof, or of any thing to them or any of them belonging or appertaining.

33 Provided also, & this act or any thing therein containd, shall not in any wise extend to hinder or prejudice George Brooke knight, lord Cobham, his heirs or assigns for, or concerning the late colledge of Cobham, in the countie of Kent, or the manors, lands, tenements or possessions thereof, any thing

thing aboue mentioned to the contrary in any wise notwithstanding.

34 Provided also, and be it enacted by the authoritie aforesaid, that this present act or any thing therein conteyned shall not in any wise extend, or be prejudiciall or hurtfull to the generall corporation of any Citie, Borough or towne within this Realme, or any other the kings dominions, ne shall extend to any the lands or hereditaments of them or any of them, any thing herein contained to the contrarie in any wise notwithstanding.

35 Provided also, and be it enacted by the authoritie aforesaid, that all such of the said Colledges, free chappels, chauntries, and other the premisses, being appointed and given to the kings highnesse, by the authoritie of this act, as be within the Duchy of Lancaster, and all manors, lands, tenements, and hereditaments, pertayning or belonging to the same colledges, free chappels, and chauntries, shall after the said feast of Easter next comming, be within the survey and order of the Court of the Duchy of Lancaster, in such maner & forme, as other the premisses be assigned or appointed by authoritie of this Act, to be in the survey and order of the Court of Augmentations & revenues of the kings Crowne, or other Court by the king to be assigned: And that all Commissions, that hereafter shall be awarded by vertue & force of this Act, con-  
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deacons, treasurers, prebendaries, rulers, gouernours, wardens, prouosts, giuers, and grauntozs of any of the premisses, and their heires, successozs, and assignes, & other then such ecclesiasticall oz spirituall persons, bodies politike oz cozporate, as are oz pretend to be foundours, donozs, patrons, oz Ordinaries of the premisses, oz any of them) all such rights, titles, interestes, claimes, entries, rents, reuerfions, remainders, fees, offices, annuities, lands, tenements, hereditaments, profites, commodities, & emoluments, as they oz any of them haue, oz should oz ought to haue had, of, in, oz to the premisses, next aboue mentioned, oz any part thereof, as if this act had neuer bin had oz made; any thing in this act to the contrarie in any wise notwithstanding.

32 **Provided** alswaies, that this act oz any thing therein contained, shal not in any wise extend to make good oz effectuall, any gift, graunt, bargaine, sale oz alienation made by any parson oz bicar of their parsonages oz bicarages, oz of any part oz parcell thereof, oz of any thing to them oz any of them belonging oz appertaining,

33 **Provided** also, & this act oz any thing therein containned, shall not in any wise extend to hinder oz preiudice George Wzowe knight, lord Cobham, his heires oz assignes for, oz concerning the late colledge of Cobham, in the countie of Kent, oz the manors, lands, tenements oz possessions thereof, any thing

thing aboue mentioned to the contrary in any wise notwithstanding.

34 **Pr**ouided also, and be it enacted by the authoritie aforesaid, that this present act or any thing therein conteyned shall not in any wise extend, or be preiudiciall or hurtfull to the generall corpozation of any Citie, Borough or towne within this Reaume, or any other the kings dominions, ne shall extend to any the lands or hereditaments of them or any of them, any thing herein contained to the contrarie in any wise notwithstanding.

35 **Pr**ouided also, and be it enacted by the authoritie aforesaid, that all such of the said Colledges, free chappels, chauntries, and other the premisses, being appointed and giuen to the kings highnesse, by the authoritie of this act, as be within the Duchy of Lancaster, and all manors, lands, tenements, and hereditaments, pertayning or belonging to the same colledges, free chappels, and chauntries, shall after the said feast of Easter next comming, be within the survey and order of the Court of the Duchy of Lancaster, in such maner & forme, as other the premisses be assigned or appointed by authoritie of this Act, to be in the survey and order of the Court of Augmentations & revenues of the kings Crowne, or other Court by the king to be assigned: And that all Commissions, that hereafter shall be awarded by vertue & force of this Act, con-

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cerning such colledge, free chappels, chasttries, and other the premises, as be within the said Duchie of Lancaster, shall be awarded vnder the great seale of England, and shall be certified into the same Court of the Duchie of Lancaster: Any thing a- bouesaid to the contrarie in any wise notwithstanding.

36 Provided alwaies, and be it enacted by the authoritie aforesaid, that this Act, ne any thing therein contained, shall extend to the Colledge or chauntrie of Atilborough in the countie of Norfolk, which the said late King Henry the eight, gaue to Robert, Earle of Sussex, and to his heires, but that Henry now Earle of Sussex, sonne & heyre to the said late Earle, his heires & assignes, shall and may by the authoritie of this Act, haue and enjoy the saide Colledge, and chauntry, and all manors, lands, tenements, aduowsons, tithes, pensions, portions, and other hereditaments, therunto belonging or appertaining: any thing in this Act to the contrarie in any wise notwithstanding.

37 Provided alwayes, and by the authoritie aforesaid, be it enacted, that the kings Maestie, at any time when it shall seme to him good, may give authoritie to certaine his graces commissioners, to alter the nature and condition of all maner of Obites, as well within the Vniuersities of Cambridge and Oxford, as in any other place within this his graces realme of England  
Wales,

males, being not suppressed ne adnichilate by vertue of this present Act, and the same Obites so altered, to dispose to a better vse, as to the reliefe of some poore men being students, or otherwise.

38 Provided also, and be it enacted by authority aforesaid, that it shall not be lawfull to any person or persons, bodies politike or corporate, by reason of any remainder, vse, or condition, to enter into, claime, or challenge any lands, tenements or hereditaments, for the non doing, not naming, or non finding of any such priest or priestes, or poore folks, as is aforesaid, Obite, annuallarie, light or lympe, from henceforth to be founded or done: any thing herein contayned to the contrarie in any wise notwithstanding.

39 Provided alwayes, that this Act, nor any thing therein contained, shall not in any wise extend to any landes, tenements, possessions or hereditaments, whatsoever, that any Master, Drane, Prebendarie, Wardein, or chauntry, or any stipendarie priest of any colledge, chauntry, prebend, fraternitie, guild, or any other corporations haue, or held of any person or persons, by copie of court rolle, or at will, according to the custome of any manour or manours, nor give or graunt any copyhold lands to the Kings highnesse.

40 And also provided that the Kings highnesse, his heires or successors, shall not in any wise haue, hold, enjoy or take by vertue of



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of this act, or any article therein conteyned, any maner of copyhold landes, tenements, possessions, or hereditaments whatsoeuer they be, but that all and euerie of the saide persons and incumbents shall haue, hold, and enioy the same during their liues, towards their pension and yerely liuing, paying the rents, and doing their customes, and seruices thereof due and accustomed, any thing in this act to the contrary notwithstanding.

41 Provided, that this act shal not extend to any lands, tenements, or hereditaments, assigned, appointed, or intended for the finding or maintenance of any Chantry priest, or stipendarie priest, which by any former right, and good title without fraude or couin, were lawfully recovered from the possession of any such Chantry priest, or stipendarie priest, before the first day of October, the said xxxviij yere of the raigne of the said late King Henry the eight, which landes, tenements, and hereditaments, were not charged, nor chargeable to the payment of the perpetuall tenth: any thing in this act to the contrary hereof notwithstanding.

42 Provided alwayes, and be it enacted by the authoritie aforesaid, that all and singular graunts, licenses, confirmations, and letters patents, which our late soueraigne Lord King Henry the eyght, or our Soueraigne Lord the King that now is, haue made

made vnder the great scale of England, to any person or persons, bodies politique or corporate, of any colledge, chappell, or chantrie now being in esse, or standing, or now not being in esse, or not standing, or of any lordships, manours, lands, tenements, and hereditaments, annexed, vnited, belonging, or appertaining to any colledge, chappell, or chauntrie now being in esse, or standing, or now not being in esse, or not standing, or of any other thing or things, mentioned, expressed, or contained in any such graunt, licence, confirmatio, or letters patentes, shall from henceforth be deemed, taken, expounded, and adiudged good and effectuell in the law, according to the wordes, sentences, meanings, intents, force and effects of the same grants, licences, confirmations, and letters patentes, to all intents, constructions, and purposes, as if this act, and the said act made in the said xxxvij. yeare of the said late K. Henry the eight, had neuer bene had nor made.

43 And that this act or the said act made in the said xxxvij. yeare of the raigne of our said late soueraigne Lord King Henry the eight, or any clause, article, sentence, or other thing therein contained, shall not extend to any Colledges, Chappels, Chauntries, or other thing or thinges mentioned in this act, now being in esse, or standing, or now not being in esse, or not standing, or to any manours, lands, tenements, possessions, revenues,

## Monasteries.

mentes or hereditaments, annexed, united, belonging or appertaining to any colledge, chappell, chauntrie, or other thing mentioned in this act, now being in Use, or standing, or now not being in Use, or not standing, or to any other thing or things, mentioned or expressed in this Act, which any person or persons, bodies politike or corporate, have, had, or obtained by the assent, licence, confirmation, graunt, or letters patents of the said late King, or of the Kings Majestie that now is: Nor shall extend to any manours, lands, tenements, revenues, possessions, hereditaments, or other thing or things mentioned or expressed, or contained in any such licence, confirmation, graunt, or letters patents, but that everie such person or persons, bodies politike and corporate, their heires, and successors, and assignes, and the heires, successors, and assignes of everie of them, shall have, hold, and enjoy, all and every the same colledges, chappells, chauntries, manors, lands, tenements, revenues, possessions, and hereditaments, and all and everie other thing and things whatsoever, so by them had or obtained, by the assent, licence, confirmation, graunt, or letters patents of the saide late King, or of the Kings Majestie that now is, according to the words, sentences, forme, effect, meaning, and intent of the same licences, confirmations, graunts, and letters patents: This Act, or the said Act made

in the said 37 yeare of the raigne of the said late king Henry the eight, or any clause, article, sentence, matter, or thing, mentioned, expressed, or contayned in any of the same Statutes, to the contrarie thereof in any wise notwithstanding.

An act touching the finding of Offices before the Eschetour. Anno 2. Edwardi 6. cap. 8.

Eschetours 15.

**W**here many and divers persons, holding, or that have holden Lands, Tenements, or Hereditaments, some for terme of yeares, and some by copie of court Roll, have bene expelled and put out of their termes & holds, by reason of Inquisitions, or offices founden before Eschetours, Commissioners, and other, containing tenures of the King in Capite, intitling the king to the wardship or custodie of such lands or tenements, and sometime intitling the King to the same, vpon attainders of treason, felonie, or otherwise, by reason that such leases for term of yeares, or interest, by copie of Court Roll, of such persons have not been found in such inquisitions or offices: after which expulsion & putting out, the said persons have bene without remedie, for the obtayning of the said fermes and holdes, during the Kings posses-

## Offices.

possession therein, and cannot have no Traverse, Monstrance de droit, ne other remedy for the same, because their sayd interest, is but a chattell in the law, or customary hold, and no estate of freehold.

2 And also, where any person or persons hath any rent, common, office, fee, or other profit appzender, of any estate of freehold, or for yeares, or otherwise, out of such lands or tenements, specified in such offices or inquisitions, the said rent, common, office, fee, or profit appzender, not found in the same office or offices, such persons are in like manner without remedie, to obtaine, or have the said rent, common, fee, or profit appzender, by any Traverse, or other speedie means, without great and excessive charges, during the Kings interest therein, by force of such inquisition or office.

3 For remedy whereof, be it enacted by authoritie of this present Parliament, that where any such office or inquisition, is or shall be founden, omitting such titles, interests, or matters, as aforesaid, that in all such cases, everie lessee, tenant for terme of yeares, or copholder, and every such person and persons, that have, or shal have any interest to any rent, common, or profit appzender, for terme of yeares, life, or otherwise, out of any the lands, tenements, or hereditaments, contained in such office or inquisition, where the king, his heires or successors, is, or shall bee intituled, as is

aforesaid

alsoe said, to any such landes, tenements, or hereditaments, shall haue, hold, enioy, and perceiue all and euerie their leases & interests, for terme of yeares, or by copie of court roll, rents, commons, offices, fees, and profit appzender, in such maner, forme, state, & condition, as they & euery of them, should or might haue done, in case there had bene no such office, or inquisition found, and as they should or lawfully might, or ought to haue done, in case such lease, interest by copy of court roll, rent, common, office, fee, or profit appzender, had bene founden in such office or inquisition: any law, custome, or blage, to the contrary heretofore bled in such cases, in any wise notwithstanding.

4 And also, where it is or shalbe founden for the king, his heires or successours, that the heire or heires of his tenant or tenants, is, or shall bee within age, where in deede such heire or heires is, or shal be at the same time of full age, or of a moze or greater age, then is, or shall bee contained within such office.

5 Be it further enacted by the authoritie alsoe said, that in euery such case, such heire and heires, shall & may at his and their very full age, or after persecute, alis procure a writ of *Exate probanda*, and sue his or their *Liuerie*, or *Ouster le maine*, as his or their cases shall lye, and haue the profits of his or their landes, tenements, or hereditaments, from the time of his or their veris

## Offices.

full age : any such vnttrue office or inquisition, or any law or custome to the contrarie in any wise notwithstanding.

6 Also where one person or more, is or shall be founden heire to the kings tenaunt by office or inquisition, where any other person is, or shall be heire, or if one person or more, be or shall be founden heire by office, or inquisition, in one county, and another person or persons is or shall be founden heire to the same person in another countie, or if any person be, or shall be vnttrue founden Lunaticke, Idiot, or dead.

7 Be it enacted by the authoritie aforesaid, that every person or persons grieved, or to be grieved by any such office or inquisition, shall and may haue his or their traierse to the same, immediately, or after, at his or their pleasure, and procede to triall therein, and haue like remedie and aduantage, as in other cases of traierse vpon vnttrue inquisitions or offices founden : any law, blage, or custome to the contrarie in any wise notwithstanding.

8 Also, where it is or shall be hereafter vnttrue founden by office or inquisitions that any person or persons attainted, or that shall be attainted of treason, felony, or pzemunire, is or shall be seised of any lands, tenements or hereditaments, at any time of such treason, felonte, or offence committed or done, or any time after, whereunto any other person or persons hath, or shall haue any iust title

or interest of any estate or freehold : that the  
in euery such case, euery person & persons  
groued thereby, shall haue his or their tra-  
uerse, or Monstrance de droit to the same,  
without being dzien to any Petition of  
right : And like remedie & restitution, vpon  
his or their title, found or iudged for him or  
them therein, as hath bin accustomed & vied  
in other cases of traaverse, although the  
Majesty, his heires, or successors, be or shall  
be, in such case intituled to any such lands, te-  
nements or hereditaments, by double mat-  
ter of record : any law, custome, or vsage to  
the contrary in any wise notwithstanding.

9 And further be it enacted by the autho-  
rity aforesaid, that where any inquisition or  
office, is or shall be founden, by these wordes  
or like, Quod de quo, vel de quibus tene-  
menta predicta tenent, iurat predicta igno-  
rant, or else founden holden of the king, Per  
que seruitia ignorant, or such like, that in  
such case, such tenure so vncertainly founde,  
De quo vel de quibus tenementa predicta te-  
nentur ignorant, shall not bee taken for any  
immediate tenure of the king, nor such te-  
nure so founden of the king, Per que serui-  
tia ignorant, shall not be taken any tenure  
in capite, but in such cases a Melius inqui-  
rendum to be awarded, as hath bin accusto-  
med in old time : any vsage of latter time to  
the contrary notwithstanding.

10 And be it further enacted by authority  
aforesaid, that where it is or shalbe founden



## Offices.

by any office or inquisition, that any lands, tenements, or hereditaments, are, or shall be descended, remained, or comen to any heire within age, and in the kings ward, or that ought to be in the kings ward, and that such lands, tenements, or hereditaments are holden of the king immediately, where in deed the same are, or shall be holden of some other common person, & not of the king immediately: that in such case, such heire or heirs shall & may haue their traaverse to the same within age, & like remedy & restitution vpon his or their title founden or iudged for him, or them therein, as hath bene accustomed and bled in other cases of traaverles: any law, blage, or custome to the contrary in any wise notwithstanding.

11 Also where the kings maiesty by his prerogative, ought to haue as well such lands and tenements as be holden of other persons, as holden of himselfe immediately, whereof his tenaunt holding of himselfe in chiefe, dyeth settled, his heire being within age, vntil such time as livery be sued by such heire, and that the meane lordes, of whom the said other lands and tenements, of such heire, be holden, bled to spare the rents due to them for the same landes or tenements, holden of them, during the kings possession. And when such heire hath sued his or their livery they vse by distresse, or otherwise to compell the said heire to pay to them the arerages of such rents, for such time as the said

said lands, or tenements, were in the kings  
 possession by such minority, where they  
 should have sued by petition to the Kings  
 majesty, to have obtained the same out of the  
 Kings hands, if they would have the same,  
 which is to the great detriment, losse, and  
 hindrance of such heire and heires. For re-  
 dresse wherof, be it enacted by the authoritie  
 of this present parliament, that from hence-  
 forth, such meane Lords, during such mi-  
 noritie, shall have, receive, and take the said  
 rents by the hands of such the Kings offi-  
 cers, as shall be appointed to have receive, &  
 take the issues, revenues, and profits of the  
 same lands, and tenements, so holden of such  
 meane Lords, during the minority and no-  
 mage of such heire and heires, & untill such  
 heire and heires sue his or their livery, and  
 that such heire and heires, untill such time  
 as he or they shall have sued their livery, or  
 might conveniently have sued their livery,  
 shalbe thereof cleerely discharged. And that  
 such officer or officers, shall vpon request  
 made, pay the same to such meane Lords  
 (they giving to such officer and officers, a  
 sufficient acquittance, or acquitances for the  
 receipt of the same. And that such payment  
 thereof made with acquittance, or acquitan-  
 ces thereof shewed, shalbe to such officers a  
 sufficient discharge, against the Kings ma-  
 jestie, and his heires vpon his or their ac-  
 count in that behalfe: Any law, usage, or  
 custome heretofore had, or used to the con-

## Offices.

trary hercof in any wise notwithstanding.

12 Provided alwaies, and it is enacted by the authoritie aforesaid, that this Act, or any thing therein conteyned, shall not in any wise extend to any inquisition or office taken or founden, at any time befoze the xx. day of March next comming, nor to hinder, prejudice or take away the title, interest, or possession of our soueraigne Lord the king, or of any other person or persons growen, or comen by vertue, meane, or occasion of any inquisition or office taken, or found befoze the same day, but that as well our said Soueraigne Lord the King, as all other person or persons, hauing any title, interest or possession, by vertue, meane, or occasion of any inquisition or office found befoze the same day, shall, and may haue, hold, and enjoy the same in like manner and forme as though this act had neuer bin had or made, any thing in the same act to the contrarie in any wise notwithstanding.

13 Provided also, and it is enacted by the authoritie aforesaid, that in all such cases as any person or persons shall be enabled by this act to haue any trauesse, and shall pursue his or their trauesse, that then hee or they that shall pursue such trauesse, shall sue one writ, or severall writs of Scire facias (as the case shall require) against all and singular such person or persons as shall haue interest by the king, or by his patent or patents, in like maner and forme as is requi-

site,

site, vpon trauerses, or petition heretofore pursued. And that in euery such Scire facias the patentees, or other defendants shall haue like pless, & advantages, as they had in any Scire fac', befoze this time awarded against any patentee in any case of petition. And also, that vpon euery trauerse that shall be pursued by vertue or meane of this act, in such case as the partie or parties that shall pursue any such trauerse, should by the order of the Common Lawes of this Realme, haue bin put to sue by petition to the king, there shall be two writs of search granted in maner and forme, as like writs haue been granted vpon petitions made to the king.

14. Provided also, and it is enacted by the authozity abovesaid, that if after any iudgement shall be giuen vpon any trauerse, that shalbe tendzed, or sued by vertue or meane of this act, it shall appeare by any matter of recozd, that the King hath any other former title, right, or interest to the manours, lands, tenements, or other hereditaments mentioned in the same trauerses, that then the same title, right, & interest, shall be saved to the King, the said trauerses and iudgement thereupon giuen, in any wise notwithstanding.

## Tithes.

An Act for the payment of Tithes,  
An 2. Ed. 6. cap. 13.

### Tithes 10.

**W**here, in the Parliament holden at Westminster the fourth day of February, in the xxviij. yere of the raigne of the late king of most famous memorie king Henry the 8. [cap. 20. Tithes 5.] there was an Act made concerning payment of Tithes prediall and personall. And also in another parliament holden at Westminster the xxliij. day of July, in the xxxij. yere of the raigne of the said late king Henry the eight [cap. 7. Tithes 8.] An other act was made concerning true payment of Tithes & offerings, in which severall acts many and divers things be omitted and left out, which were convenient and very necessarie to be added to the same: In consideration whereof, & to the intent the said Tithes may be hereafter truly payed, according to the mind of the makers of the said Act:

2 Be it ordeyned and enacted by the king our soueraigne Lord, with the assent of the Lords spirituall & tempozall, and the commons in this present parliament assembled, and by the authoritie of the same, that not onely the said Acts made in the said xxviij. and xxxij. yeres of the raigne of the said late king Henry the eight, concerning true payment of Tithes, and every article & branch there:

therein contained, shall abide and stand in their full strength and vertue :

3 But also be it further enacted by the authority of this present parliament, that euery of the Kings subiects shall from henceforth truly & iustly without fraud or guile, diuide, set out, yeild, & pay all maner of their pzedial tithes, in their pzofer kind, as they run and happen, in such maner & forme, as hath been of right yeilded & payed, within forty yeeres next before the making of this act, or of right or custome ought to haue been payed.

4 And that no person shall from henceforth take or carie away any such or like tithes, which haue bin yeilded or paid within the said forty yeeres, or of right ought to haue been paid in the place or places tithable of the same, before he haue iustly diuided or set forth for the tithes thereof, the tenth part of the same, or otherwise agreed for the same tithes with the Parson, vicar, or other owner, pzoportiozie, or fermor of the same tithes, vnder the paine of forfeiture of treble value of the tithes so taken or caried away.

5 And be it also enacted by the authoritie aforesaid, that at all times whensoever, and as often as the said pzediall tithes shall be due, at the tithing time of the same, it to be lawfull to euery partie to whom any of the said tithes ought to be paid, or his deputie or seruant, to diuide and set their said tithes to be iustly and truly set forth and seuered from the ix. parts, and the same quietly to take

## Tithes.

take vnd carrie away.

6 And if any person carie away his corn, or hay, or his other prediall tithes, befoze the tithes thereof bee set forth, or willingly withdrow his tithes of the same, or of such other things, whereof prediall tithes ought to be paid, or do stop or let the Parson, Vicar, proprietoze, owner, or other their deputies, or sermons, to view, take, or carrie away their tythes, as is abovesaid, by reason whereof the said tythe or tenth is lost, impaired, or hurt: that then vpon due pzoofe thereof made befoze the spiritual Judge, or any other Judge, to whom heretofore hee might haue made complaint, the partie so carping away, withdrawing, letting, or stopping, shall pay the double value of the tenth or tithes, so taken, lost, withdrawen, or caried away, ouer and besides the costes, charges, & expences of the suit in the same, the same to be recovered befoze the ecclesiasticall Judge, according to the kings ecclesiasticall Lawes.

7 And be it further enacted by the authoritie aforesaid, That all and euery person which hath, or shal haue any beasts, or other cattel tithable, going, feeding or depasturing in any wast or common ground, whereof the parish is not certainly knowen, shal pay their tithes for the increase of the said cattel so going in the said wast, or common, to the Parson, Vicar, proprietoze, porcionarie, owner, or other their sermons or deputies of the

the Parish, Hamlet, Towne, or other place, where the owner of the said cattell inhabiteth or dwelleth.

8 Provided alwayes, & be it enacted by the authoritie aforesaid, that no person shall be sued, or otherwise compelled to yield, give, or pay any manner of tithes, for any manors, lands, tenements, or hereditaments, which by the lawes & statutes of this Realme, or by any privilege, or prescription, are not chargeable with the payment of any such tithes, or that be discharged by any composition real. [See before 31.H.8.cap.13.]

9 Provided alwayes, and be it enacted by the authority aforesaid, that all such barren, heath, or wast ground (other then such as be discharged for the payment of tithes by act of parliament) which before this time have been barren, & payed no tythes, by reason of the same barrennes, & now be, or hereafter shall be improued & converted into arable ground or meadow, shall from henceforth, after the end & terme of vij. yeares, next after such improuement, fully ended & determined, pay tithes for the Cozne & Hay growing upon the same: any thing in this act to the contrary in any wise notwithstanding.

10 Provided alwayes, and be it enacted by the authoritie aforesaid, that if any such barren, wast, or heath ground hath before this time been charged with the payment of any Tithes, and that the same be hereafter improued & converted into arable ground,



## Tithes.

of meadow: that then the owner of owners thereof, shall during vij yeares next following, from & after the same improuement pay such kind of tithes as was payd for the same befoze the said improuement: Any thing in this Act to the contrarie in any wise notwithstanding.

11 And be it also further enacted by authority aforesaid, that every person exercising merchandises, bargaining and selling clothing, handicraft, or other art or facultie, being such kind of persons, & in such places as heretofore within these xl. yeares haue accustomedly bled to pay such personable tithes or of right ought to pay, other then such as be commonly day labourers, shall yearly at, or befoze the feast of Easter, pay for his personall tithes, the tenth part of his cleere gaires, his charges & expenses, according to his estate, condition, or degree, to be therein abated, allowed, and deducted.

12 Provided alwaies, & be it enacted, that in all such places where handy crafts men haue bled to pay their tythes within these xl. yeares, the same custome of payment of tythes to be obserued and to continue: Any thing in this Act to the contrarie notwithstanding.

13 And be it also enacted by the authority aforesaid, that if any person refuse to pay his personall tithes in form aforesaid: that then it shalbe lawfull to the Ordinary of the same diocese, where the party (that so ought to pay

pay the said tithes) is dwelling, to call the same partie before him, & by his discretion to examine him by all lawfull and reasonable meanes, other then by the parties own co:pozall oath, concerning the true payment of the said parsonall tithes.

14 Provided also, and be it enacted by the authoritie aforesaid, that all & every person and persons, which by the lawes or customes of this realme ought to make or pay their offerings, shal percy from henceforth well & truly content and pay his or their offerings to the parson, vicar, propriatorie, or their deputies or fermers, of the parish or parishes where it shall fortune or happen him or them to dwell or abide: & that at such offering daies, as at any time heretofore within the space of 4. yeres last past, hath bin used & accustomed for the payment of the same, and in default thereof, to pay for their sayde offerings at Easter then next following.

15 Provided also, and be it enacted by the authoritie aforesaid, that this Act or any thing therein contained, shal not extend to any parish, which stands upon, & towards the sea coasts, the commodities and occupying whereof consisteth chiefly in fishing, & have by reason thereof, bin used to satisfie their tithes by fish, but that all & every such parish & parishes shal hereafter pay their tithes, according to the laudable customes, as they have heretofore of auncient time within these 21. yeares, bin used & accustomed, and shal pay their offerings

## Tithes.

offerings, as is aforesaid.

16 Provided alwaies, and be it enacted by the authoritie aforesaid, that this act, or any thing therein contained, shall not extend in any wise to the Inhabitants of the Citie of London and Canterbury, & the suburbs of the same, ne to any other town or place, that hath bled to pay their Tithes by their houses, otherwise then they ought, or should have done befoze the making of this act any thing contained in this Act, to the contrary in any wise notwithstanding. [See 27.H.8. cap.21 & 37.H.8.ca.12.and the decree thereupon in the Collection of Statutes. Tithes 6.8 & 9.]

17 And be it further enacted by the authoritie aforesaid, that if any person do subtract, or withdraue any manner of tithes, obventions, profits, commodities, or other duties befoze mentioned, or any part of them, contrarie to the true meaning of this act, or of any other act heretofore made: that then the partie so subtracting, or withdrawing the same may or shall be conuicted and fined in the kings ecclesiasticall court, by the partie from whom the same shall bee subtracted or withdrawn, to the intent the R. Judge ecclesiasticall shall and may then and there heare & determine the same, according to the R. ecclesiasticall Lawes.

18 And that it shal not be lawfull vnto the Parson, vicar, proprietye, owner, or other their fermors or deputies, contrarie to this act,

act, to conuent, or sue such withholder of tithes, obnctions, or other duties aforesaid, before any other Judge then ecclesiasticall.

19 And if any Archbishop, bishops, chancellor, or other Judge ecclesiasticall, giue any sentence in the foresaid causes of tithes, obnctions, profits, emoluments, and other duties aforesaid, or in any of them, & (no appeal ne prohibition hanging) the party condemned do not obey the said sentence: that then it shall be lawfull to every such Judge ecclesiasticall, to excommunicate the said party, so as aforesaid condemned, & disobeying: in the which sentence of excommunication, if the said party excommunicate wilfully stand, and endure still excommunicate by the space of fortie dayes next after, vpon denunciation and publication thereof, in the Parish Church, or the place or Parish where the party so excommunicate is dwelling or most abiding, the said Judge ecclesiasticall may then at his pleasure signifie vnto the king into his court of Chauncerie, of the state & condition of the said partie so excommunicate, and thereupon to require processus De excommunicato capiendo, to bee awarded against euery such person as hath bene so excommunicate.

20 Be it further enacted by the authority aforesaid, that if any party at any time hereafter, for any matter or cause before rehearsed, limited, or appointed by this act, to bee sued or determined in Kings ecclesiasticall Court,

## Tiches.

Court, or before the ecclesiastical Judge, do  
 sue for any prohibition in any of the Kings  
 courts, where prohibitions before this time  
 have bene bled to be granted: that then in  
 euerie such case, the same partie before any  
 prohibition shall be granted to him or them,  
 shall bring & deliuer to the hands of some of  
 the Iustices or Judges of the same court  
 where such partie demanded prohibition,  
 the verie true copie of the Libell depending  
 in the ecclesiasticall Court, concerning the  
 matter wherefoze the party demandeth pro-  
 hibition, subscribed or marked with the hād  
 of the same party: and vnder the cōpy of the  
 said libell, shall bee witten the suggestion,  
 wherefoze the partie so demandeth the said  
 prohibition: and in case the said suggestion,  
 by two honest and sufficient witnesses at the  
 least, be not proued true in the court where  
 the said prohibition shalbe so granted, with-  
 in vij. Monethes next following after the  
 said prohibition shalbe so graunted & awar-  
 ded: that then the partie that is lettred or  
 hindred of his or their suit in the ecclesiasti-  
 cal Court by such prohibition, shal by his  
 or their request & suit, without delay haue  
 a Consultation graunted in the same case in  
 the court, where the said Prohibition was  
 granted, & shal also reconer double costes &  
 damages against the partie that so pursued  
 the said Prohibition, the said costes and da-  
 mages to bee assigned or assessed by the  
 Court where the said Consultation shal be

so

to graunted, for which costs & damages the partie to whom they shall be awarded, may haue an action of debt, by bill, plaint, or information in any of the kings courts of record, where in the defendant shall not wage his or their law, nor haue any essoine, or protection allowed or admitted.

21. Provided also, and be it enacted by the authoritie aforesaid, that this act or any thing therein contained, shall not extend to giue any Minister or Judge ecclesiasticall any iurisdiction to hold plea of any matter, cause, or thing being contrary or repugnant to, or against the effect, intent, or meaning of the statute of Westminster ij. the v. cap. the statutes of Articuli Cleri, Circumspecte agatis, Silua cedua, the Treatise de Regia prohibitione, ne against the statute of Ann primo Edw. 3. the x. chapter, or any of them, ne yet hold plea in any matter whereof the court of right ought to haue iurisdiction: as any thing herein contained to the contrary in any wise notwithstanding.

22. Provided neuerthelesse, where heretofore such a custome hath bin in many parts of wales, that of such cattell & other goods as hath been giuen with the marriage of any person, their tithes haue been exacted & leuied by the parsons & curates in those parts, which custome being dissonant from any part of this Realme, as it seemed when the said Countrey of wales was through civil discention vnculted, for want of other sufficient

## Limitation.

cient profits, that might otherwise grow to the Curates and Ministers there, to have been for that time tollerable, so now the country being well manured & husbanded, and that tithe is duly paid there of cozne, hay, wood and cheafe, and of other increase of all manner of cattell, as it is commonly in all other parts of this Realme, the same custome seemes to be græuous and unreasonable, specially where the benefices are else sufficient for the finding of the said Ministers and Curates: That it be therefore enacted by the authoritie aforesaid, that from and after the first day of May next comming, no such tithes of marriage goods be exacted or required of any person within the said dominion of Wales, or Marches of the same: Any thing in this Act contained, or any other act, custome, prescription, had, or made to the contrarie hereof, notwithstanding.

An act for the limitation of prescription in certaine cases made in the second Session of the first parliament 1. M. ca. 5.

### Limitation 3.

**T**he said former act made in the said xxxij years of the raigne of the said late king Henrie, [which is before 32. Hen. 8. cap. 2. Limitation 3.] or any article, clause, sentence, or matter therein contained, shall not extend

extend to any writ of right of Admonition, Quare impedit, or assise of Darrein presentment, or lure patronatus, nor to any writ of right of ward, writ of Ranshment of ward, for the wardship of the body, or for the wardship of any castles, honours, manors, lands, tenements, or hereditaments, holden by knights service, nor to the seiser of the wardship of the body of any ward or warden, or to the seiser or wardship of any castles, honours, manors, lands, tenements, or hereditaments holden by knights service, but that all & every person & persons, bodies politike and corporate, their heires and successors, the heires and successors of every of them shall and may have, maintaine, and pursue all and singular the said writs of right of Admonition, Quare impedit, assise of Darrein presentment, lure patronatus, writs of right of ward, Ranshment of ward, and also seise the wardship both of the body, and of the castles, honours, manors, lands, tenements & hereditaments holden by knights service, in like maner & forme, to all intents, constructions & purposes, as they or any of them should or might have done, made, or pursued before the making of the said Act, made in the said xxxij. yeare ca. 2. as though the same act had never bin had or made: any thing in the said former act to the contrary notwithstanding.



## Fraudulent deedes.

An act against fraudulent deedes, giftes,  
grants, alienations, &c. Anno  
13. Eliz. cap. 5.

### Fraudulent deedes 1.

**F**or the enoyding and abolishing of fey-  
ned, conenous, and fraudulent feoffe-  
ments, giftes, graunts, alienations, con-  
ueyances, bonds, suites, iudgements, and ex-  
ecutions, asswe of lands and tenements, as  
of goods and cattels, moze commonly vsed &  
practised in these daies, then hath bene seene  
and heard of heretofore : which feoffements,  
giftes, graunts, alienations, conueyances,  
bonds, suites, iudgements, and executions,  
haue bene and are deuised and contriued of  
malice, fraud, couin, collusion or guile, to the  
end, purpose, and intent, to delay, hinder or  
defraud creditours, and others of their iust  
and lawfull actions, suites, debts, accompts,  
damunages, penalties, forfeitures, heriots,  
mortuaries, and reliefes, not onely to the let  
or hinderance of the due course and executi-  
on of Law and Justice, but also to the over-  
throw of all true and plain dealing, bargai-  
ning and cheuilsance, betweene man and  
man, without the which no common wealth  
or ciuile societie can be maintained or conti-  
nued.

2 Be it therefore declared, ordained, and  
enacted by authoritie of this present parlia-  
ment, that all and euerie feoffement, gift,  
graunt,

graunt, alienation, bargaine, & conueyance of lands, tenements, hereditaments, goods, and cattels, or of any of them, or of any lease, rent, common, or other profit or charge out of the same lands, tenements, hereditaments, goods, & cattels, or any of them, by writing or otherwise.

3 And all and enery bond, suit, iudgement and execution, at any time had or made since the beginning of the Quenes Ma: testies raigne that now is, or at any time hereafter to be had or made, to, or for any intent or purpose, before declared and expressed, shall be from henceforth deemed and taken (onely as against that person or persons, his or their heires, successors, executors, administrators, and assignes, & euery of them, whose actions, suits, debts, accounts, damages, penalties, forfeitures, heriots, mortuaries, and relieves, by such guilefull, couenous, or fraudulent deuises and practises, as is aforesaid, are, shall, or might be in any wise disturbed, hindered, delayed, or defrauded) to be clearely and betterly void, frustrate, and of none effect: any pretence, colour, fained consideration, expressing of vse, or any other matter or thing to the contrary notwithstanding.

4 And be it further enacted by the authoritie aforesaid, that all and enery the parties to such sayned, couenous, or fraudulent troffement, gift, graunt, alienation, bargaine, conueyance, bondes, suits, iudgements,

## Fraudulent deedes.

ments, executions, and other things before expressed, or being privie & knowing of the same, or any of them, which at any time after the tenth day of June next coming, shall wittingly, and willingly put in vze, know, maintain, iustifie, or defend the same, or any of them, as true, simple, and done, had, or made, bona fide, and vpon good consideration, or shall alien, or assigne any the lands, tenements, goods, leases, or other things before mentioned, to him or them conveyed, as is aforesaid, or any part thereof, shall incurre the penaltie & forfeiture of one yerre value of the said lands, tenements, and hereditaments, leases, rents, commons, or other profits, of, or out of the same, and the whole value of the said goods and catels, and also so much money, as are, or shall be contained in any such common and sealed bond: The one moitie whereof to be to the Quenes Maestie, her heires & successors, and the other moitie to the partie or parties grieved by such fayned and fraudulent scottement, gift, grant, alienation, bargain, conveyance, bondes, suites, iudgements, executions, leases, rents, commons, profits, charges, and other things aforesaid, to be recovered in any of the Quenes Courts of Record, by action of debt, bill, plaint, or information, wherein none escoine, protection, or wager of law shall be admitted for the defendant or defendants, and also being thereof lawfully convicted, shall

shall suffer imprisonment for one halfe yere,  
without baile or mainprise.

5 Provided alwayes, and be it further  
enacted by the authoritie aforesaid, that  
whereas sundrie common Recoveries of  
lands, tenements, and hereditaments have  
heretofore bene had, and hereafter may be  
had against tenant in taile, or other tenant  
of the freehold, the reversion, or remainder,  
or the right of reversion, or remainder then  
being in any other person or persons, that  
everie such common Recovery heretofore  
had, and hereafter to be had of any landes,  
tenements, or hereditaments, shal as touch-  
ing such person and persons, which then  
had any remainder or reversion, or right  
of remainder or reversion, and against  
the heyres of everie of them, stand, re-  
maine, and bee of suchlike force and effect  
and of none other, as the same should  
have been, if this Act had never been had ne  
made.

6 Provided alwayes, and be it further  
enacted by the authoritie aforesaid, that this  
Act, or any thing therein contained, shall not  
exten to make void any estate or conscience,  
by reason whereof any person or persons  
shall use any voucher in any writ of Forme-  
don now depending, or hereafter to be de-  
pending, but that all & every such vouchers  
in any writ of Formedon, shall stand and be  
in like force & effect, as if this act had never  
been

## Fraudulent deedes.

been had ne made : any thing befoze in this Act conteyned to the contrarie notwithstanding.

6 Provided also, and be it enacted by the authoritie aforesaid, that this Act, or any thing therein contained, shall not extend to any estate or interest in lands, tenements, hereditaments, leases, rents, commons, profits, goods, or cattels, had, made, conveyed, or assured, or hereafter to be had, made, conveyed, or assured, which estate or interest, is or shal be upon good consideration, and bona fide lawfully conveyed or assured to any person or persons, or bodie polittike or corporate, not having at the time of such conveyance or assurance to them made, any manner of notice or knowledge of such conveyance, fraude, or collusion, as is aforesaid : any thing befoze mentioned to the contrarie hereof notwithstanding. This Act to endure vnto the end of the first Session of the next parliament, and 34. Eliz. ca. 4. continued vnto the end of the next parliament, and 27. Eliz. cap. 11. continued vnto the end of the next parliament, and 29. Eliz. ca. 5. made perpetuall.

Co. l. 3. 81.

An

An Act that the exemplification or constat of Letters Patents, shall be as good and auaileable, as the Letters Patents themselves. An 13. Eliz. cap. 6.

## Graunts 3.

**F**or avoiding of all such doubts, questions, and ambiguities, as heretofore haue risen & bin moued, and of such as heretofore might rise & be moued, in & vpon the statute made in the parliament begun and holden at West. the 4. day of Nouember, in the third yere of the reigne of our late sone reigne Lord King Edward the sixt, intituled Act concerning graunts and gifts, made by patentees, out of letters patents, [which is 3. Ed. 6. cap. 4. Graunts 2.] and for a due and full supply of all such wants as may bee thought to be therein.

2 We it enacted & declared by the authoritie of this present parliament, that all and euery patentee and patentees, their heyres, successours, executors, & assignes, & all and euery other person and persons, hauing by, or from them, or any of them, or vnder their title, any estate or interest, of, in, or to any lands, tenements, or hereditaments, or any other thing whatsoeuer, to such patentee or patentees heretofore granted by any letters patents, eyther of the most famous princes King Henry the eight, King Edward the sixt, Queen Mary, King Philip & Queens Mary, or by any of them, or by the Queens most

## Graunts.

most excellent Maiesty that now is, at any time sithe the 4. day of February, in the xxvij. yere of the reigns of the said late king Henry the eight, or else by the Quēnes Maiestie that now is, her heires or successors, at any time hereafter to be graunted, shall and may at all times hereafter, in any of the Quēns highnes Courts, her heires or successors, and elsewhere, by the authoritie of this present act, make and conuey, and be allowed and suffered to make & conuey, to and for him, them, & euery of themselves, such claime, or title, by way of declaration, plaint, answer, barre, replication, or other pleading whatsoever, as well against the Quēns highnes, her heires & successors, and euery of them, as against all and euery other person and persons whatsoever, for or concerning the lands, tenements, hereditaments, or other things whatsoever, specified or contained in any such letters patents, or of, for, or concerning any part or parcel thereof, by shewing forth an exemplification or constat, vnder the great Seale of England, of the inrolment of the same letters patents, or of so much thereof, as shal & may serue, to or for such title, claime, or matter, the same letters patents then being & remayning in force, not lawfully surrendred, nor cancelled for or concerning so much, & such part and parcell of such lands, tenements, hereditaments, or other thing, wherunto such title or claime shall be made, as if the same letters

Patents selfe were pleaded & shewed for the  
any law, blage, or other thing, whatsoeuer  
to the contray notwithstanding.

An Act against Usurie, An 13. Eli. cap. 8.

Usurie 3.

**W**heras in the Parliament holden  
the xxvij. yere of the reign of our  
late soueraigne Lord king Henry  
the eight of famous memozy [cap. 6. Usury  
6.] there was then made and established one  
good Act for the reformation of Usurie, by  
which act the vice of usury was well repres-  
sed, & especially the corrupt chentisance and  
bargaining by way of sale of wares, & shiftes  
of interest. And wher since that time by one  
other act made in the 5. and 6. yeaeres of the  
reign of our late soueraigne Lord king Ed-  
ward the 6. [ca. 20.] the said former act was  
repealed, and new provisions for repressing  
of usury devised & enacted: which said latter  
Act hath not done so much good, as was  
hoped it should, but rather the said vice of  
Usurie, & specially by way of sale of wares,  
and shiftes of interest, hath much moze ex-  
ceedingly abounded, to the utter vndoing of  
many Gentlemen, Merchants, occupiers,  
& other, & to the importable hurt of the com-  
mon wealth, as wel for that in the said latter  
Act there is no provision against such cor-  
rupt shiftes, and sales of wares, as also for  
that there is no difference of pain, forfeiture,



## Vsurie.

of punishment, vpon the greater or lesser exactions & oppressions, by reason of lones vpon Vsurie: Be it therefore enacted, that the said latter statute made in the 5. and 6. yeares of the raigne of king Edward the 6. [cap. 10.] and euerie bzaunch and article of the same, from & after the xxv. day of June next comming, shall be utterly abrogated, repealed, and made boide. And that the said Act made in the said 37. yeare of K. Henry the 8. [cap. 6.] from and after the said 25. day of June next comming shall be reuiued, and stand in full force, strength, and effect.

2 And be it further enacted, That all bonds, contracts, & assurances collaterall, or other, to be made for payment of any principall, or money to be lent, or covenant to be performed, vpon, or for any Vsurie, in lending or doing of any thing against the said act now reuiued, vpon, or by which lene, or doing, there shall be reserved or taken aboue the rate of x. s. for the hundred for one yere, shall be utterly void.

3 And be it further enacted, that all Brokers, solicitors, and byuers of bargaines, for contracts, or other doings against the said Statute now reuiued, wherupon shall be reserved or take moze then after the rate of x. s. for the lene of a C. s. for a yere, shall be to all intents and purposes, indged, punished, & bled, as counsellours, attournies, or advocates, in any case of perjury.

4 And soasmuch as all Vsurie being forbidden

hidden by the Law of God, is sinne & detestable: Be it enacted, that all Usurie, loan, and forbearing of Money, or giving delay for forbearing of money by way of loan, chaffe, shifter, sale of wares, contract, or other doings whatsoever for gaine, mentioned in the said statute which is now renewed, whereupon is not reserved, or taken, or covenanted to be reserved, paid, or given to the lender, contractor, shifter, forbearer, or deliverer, above the summe of x. pounds, for the loan or forbearing of a £. pound for one yeare, or after the rate, for a more or lesser summe, or time, shall be from the xrb. day of June next coming, punished in forme following, that is to say: That every such offendour against this branch of this present statute, shall forfeit so much as shall be reserved by way of usurie, above the principal, for any money so to be lent or forborne. All such forfeitures to be recovered and imploied, as is limited for forfeitures by the said former statute now renewed.

5 And be it further enacted, that Justices of Oyer & terminer, and Justices of Assize in their circuites, Justices of peace in their Sessions, Mayors, Sherifes, & Bailiffs of Cities, shall also have full power & authority to inquire, heare, and determine, of all and singular offences committed against the said statute now renewed.

6 And be it further enacted, that the said Statute now renewed, shall be most largely and

## Vsurie.

and strongly construed for the suppressing of  
vsury, & against all persons that shall offend  
against the true meaning of the said statute  
by any way or deuise, directly or indirectly.

7. **Pro**vided alway, that this statute both  
not extend, nor shall be expounded to extend  
vnto any allowances or payments for the  
finding of Orphanes, according to the an-  
cient rates or customes of the Citie of Lon-  
don, or any other Citie where like order is  
for the custodie of Orphanes & their goods,  
as in the said Citie of London.

8. **Pro**vided alwaies, and bee it further  
enacted by the authoritie aforesaid, that if  
any person or persons, shal from & after the  
said xxv. day of June, offend contrary to the  
said statute reuiued by this present act made  
in the 37. yeare of the reigne of the said late  
king Henry the 8. cap. 6. that then all and  
euery such offendor and offendors, shall and  
may also be punished & corrected, according  
to the Ecclesiasticall Lawes heretofore  
made against vsurie. And that all and euery  
person & persons offending in vsury, shifts,  
or cheuisance against this present act, & not  
taking or receiuing, but onely after the rate  
of x. pounds in the hundred, or vnder, for a  
yeare, shall be onely punished by the paines  
& forfeitures provided & appointed by this  
Act against such as shall not take or receiue  
ouer and aboue the rate of x. pounds in the  
hundred for a yere, and not otherwise.

9. **This** Act to continue and endure, for  
and

and during the space of five yeares next after the end of this present Parliament, and from thence vnto the end of the first Session of the parliament then next ensuing.

IO And be it further enacted by the authority aforesaid, that if this present act shall not be continued in the first Session of the Parliament next ensuing the said terme of five yeares: And then in the same Session no other statute or provision made against Usurie, or corrupt chauce, That then all & every the laws and statutes repealed by this act, shall remaine & be of such like force & effect, as if this present act had neuer bin had ne made, See 5. Edw. 6. cap. 20. This statute of 13. Eliz. is continued by 27. Eliz. ca. 11. to the end of the next Parliament.

An act against fraudes, defeating remedies for dilapidations of Ecclesiasticall lyuings, and for Leases to bee graunted by collegiate Churches, An 13. Eliz. ca. 10.

Leases 2.

**F**OR that long and unreasonable Leases made by Colledges, Deanes & Chapters, Parsons, Vicars, & other hauing spirituall promotions, be the chiefest causes of dilapidations, & the decay of all spirituall liuings & hospitality, & better imponerishing of all successors, Incumbents in the same. Bes it enacted by the authoritie aforesaid, that

## Leases.

*signed accordingly  
by Danmity W.  
part: C. 5. p. 14*

that from henceforth all Leases, Gifts, Grants, freelements, Conveyances, or Estates to bee made, had, done, or suffered, by any Master & Fellowes of any Colledge, Deans & Chapter of any Cathedral or collegiate church, master or gardian of any hospitall, parson, vicar, or any other having any spiritual or ecclesiasticall living, or any houses, lands, tithes, tenements, or other hereditaments, being any parcell of the possessions of any such colledge, cathedrall church, chapter, hospitall, parsonage, vicarage, or other spirituall promotion, or any waies appertaining or belonging to the same, or to any of them, to any person or persons, bodies politike or corporate (other then for þe terme of xij. yeres, or thre liues, from the time as any such lease or grant shalbe made or granted, whereupon the accustomed yerely rent or more shalbe reserved & payable yerely during the said terme) shal be utterly void & of none effect to all intents, constructions, and purposes: any law, custome, or usage, to the contrary any waies notwithstanding.

*Co. 5. 2. p. 5. 6.*

2 Provided neuerthelesse, and be it enacted by authority aforesaid, that this act, nor any thing therein contained, shal bee taken or construed, to make good any lease, or other grant to bee made by any such colledge, or collegiate Church, within either of both the Universities of Oxfoꝝd and Cambridge, or elsewhere, within the Realme of England, for more yeres then are limited by the parties

state Statutes of the same Colledge.

3 Provided also, that this act shall not extend to any lease hereafter to be made upon surrender of any lease heretofore made, or by reason of any covenant or condition, conteyned in any lease heretofore made, and now continuing, so that the lease to be made do not containe moze yeeres then the residue of the yeeres of the former lease now continuing shall be, at the time of such lease hereafter to be made, nor any lesse rent then is reserved in the said former lease. [See a Statute made 1. El. which is unpynished, concerning exchanges to be had betwene the M. Maiestie, and Bishops, what leases & assurances Bishops may make, Leases 4. See also one other Statute made the said 13. pere, cap. 20. Leases 5. And certeyne branches of the Statute made 14. Eliz. cap. 11. touching leases, & charges by such incumbents, & the other matters of this Statute: which are omitted, because they are not yet perpetual.

An act for the avoiding of Recoveries suffered by collusion by tenants for terme of life, & such others, An 14. El. cap. 8.

Recoveries 3.

**W**here divers persons being seised, or that had bene seised of lands, tenement, and hereditaments, as tenants by the curtesie of England, tenants in tail after possibilitie of issue extinct, or otherwise

It

only

## Recoveries.

only for terme of life, or lines, or of estates determinable upon life or lines, have heretofore permitted & suffered, other persons, by agreement or conin betwene them had, to recover the same lands & tenements, & other hereditaments, against the same particular tenants, in the *M. Maiesties* court, or have permitted & suffered themselves to be vouches by other persons, by agreement or conin betwene them had in recoveries suffered of the same lands, tenements, & other hereditaments, in the *M. Maiesties* court, to the great prejudice of those to whom the reversion or remainder thereof hath appertained or ought to appertaine.

For remedy whereof, bee it enacted by the *Queenes* most excellent Maiesty, with the assent of the Lords spirituall and temporall, & the commons in this present parliament assembled, & by authority of the same, that all such recoveries, hereafter to be had or prosecuted, by agreement of the parties, or by conin, as is aforesaid, against any such particular tenant, of any lands, tenements, or hereditaments, whereof the same particular tenant is, or hereafter shalbe seised of any such particular estate, as is aforesaid, or against any other fourth voucher our of any such particular tenant, or of any having, or that had right or title to any such particular estate or tenancie, as is aforesaid, shall from henceforth, as against such person or persons to whom any reversion or

remainder thereof, by force of any conveyance or devise, before that time had or made, shall, ought, or lawfully may appertaine, and against their heires and successours, be utterly & utterly void & of none effect: any law or blage heretofore had to the contrary thereof in any wise notwithstanding.

3. Provided also, that this act, nor any thing therein contained, shall not extend, or be prejudicial to any person or persons, that shall hereafter by good title, recover any lands, tenements or hereditaments, without fraud or connivance, by reason of any former right or title, but that all & every such recovery & recoveries, so to be had or prosecuted upon former rights or titles, shall stand & be in like force, strength, & effect, as they were before the making of this act: any thing herein contained to the contrary in any wise notwithstanding.

4. Provided also, that all & every such recovery & recoveries, so to be had or prosecuted, of any lands, tenements, or hereditaments, as also of any by the assent and agreement of any person or persons, to whom any reversion or remainder thereof then shall or ought to appertain (so that the same assent & agreement do appeare of record in any Court of our sovereign Lady the Queens majesty, her heires or successours) shall stand and be in like force, strength, & of like effect, against such person or persons that shall so assent and agree, their heires & successours, as they were before the making of this act: any thing



herein conteyned to the contrarie in any wise notwithstanding.

¶ We it further enacted by the authoritie aforesaid, that one act made in the 22. yeres of our late soueraigne L. ord. king Henry the eight, intituled, An Act for the amoyding of Recoveries by collusions by tenants for terme of life [ 31. H. 8. cap. 31. ] shall be from the first day of July next ensuing repealed, and shall no longer stand in force.

An act declaring that the tenant and defendant may haue a *Tales de circumstantibus*, as well as the demaundant or plaintife,

Anno 14. Eliz. cap. 9.

Jurors 20.

**F**OR the amoyding of great and chargeable delayes oftentimes hapning vnto tenants and defendants, We it enacted, that in all cases where as the partie plaintife or demaundant by any statute heretofore made, may haue vpon his or their request made vnto the Iustices of Nisi prius, within this Realme of England, or to the Iustices of Oier, or of Assise, of the 14. Shires of Wales, & the County Palantines of Lancaster, & Durham, & *Tales de circumstantibus*, that in all and every such case and cases the partie & parties, tenants, & others, sues, & defendants (if the plaintifes or demaundants shall vpon the calling of the principall Iudicel or Jury, fordeare or refuse

to

to pray the same) shall and may upon his or  
their request or desire, have upon the same  
record, & by the same Justices, the Tales or  
Taleses unto them granted, in like manner,  
forme, & degree, to all respects & purposes,  
as the plaintiff or demandant in any suit or  
action may have the same by any statute or  
ordinance heretofore made or set forth, & the  
rather for the speedy trial of the issue and  
issues joined, or hereafter to be joined in a-  
ny plea, suit, or action: any law, custom, or  
usage heretofore used to the contrary thereof  
in any wise notwithstanding.

2. Provided also, & be it further enacted  
by the authority aforesaid, & all popular ac-  
tions, informations, bills, or suits, commen-  
ced or had, or hereafter to be commenced or  
had in any the Queenes Majesties courts  
of record, upon any penall lawes or statutes  
wherein any person doth, or shall sur, or pro-  
secute, or informe, as well for the Queenes  
Majesty, her heires and successours, as for  
himselfe, whereupon issue is or shall be joyn-  
ed to be tried by the Countrey, that there:  
in the party defendant or defendants shall  
be admitted to pray and have a Tales de cir-  
cumstantibus, as in other cases aforesaid.  
Not touching Jurours de circumstantibus  
35. H. 8. cap. 6. Jurours 17. made perpetu-  
all 1. Ed. 6. cap. 32. & 4. E. 1. P. & M. cap. 7.  
Jurours 18. & 5. Eliz. cap. 29. Jurours 19.

## Fraudulent conueyances.

An Act against couenous and fraudulent conueyances, An 27. Eliz. cap. 4.

### Fraudulent deedes 3.

**F**Or remedy of which inconueniences, and for the avoiding of fraudulent, feigned, and couenous conueyances, gifts, graunts, charges, viles and estates, & for the maintenance of upright and iust dealing in the purchasing of lands, tenements, & hereditaments: Be it ordained & enacted by the authoritie of this present parliament, that all & every conueilance, graunt, charge, lease, estate, incumbrance, and limitation of viles or viles, of, in, or out of any lands, tenements, or other hereditaments whatsoever, had or made any time heretofore since the beginning of the Quenes Maiesties reigns that now is, or at any time hereafter to be had or made, for the intent, & of purpose to defraud and decerne such person or persons, bodies politick or corporat, or haue purchased, or shall after wards purchase in fee simple, fee taile, for life, times, or yeares, the same lands, tenements, & hereditaments, or any part or part thereof, so formerly conueied, graunted, leased, charged, incumbered, or limited in viles, or to defraud & decerne such as haue, or shall purchase any rent, profite, or commodity, in, or out of & same, or any part thereof, shall be deemed & taken onely as against that person & persons, bodies politick and

## Fraudulent conveyances: 246

and coꝛpoꝛat, his, & theiꝛ heiꝛes, ſucceſſoꝛs, executoꝛs, adminiſtratoꝛs, & aſſignes, & aꝓainſt all & euꝛie other perſon oꝛ perſons lawfully hauing oꝛ claiming, by, fro, oꝛ vnder them, oꝛ any of the, which haue purchaſed, oꝛ ſhall hereafter ſo purchaſe foꝛ money, oꝛ other good conſideration the ſame lands, tenements, oꝛ hereditaments, oꝛ any part oꝛ parcel thercof, oꝛ any rent, profit, oꝛ comoditie, in, oꝛ out of the ſame, to be utterly void, fruſtrate, & of none effect: any pꝛetice, color, ſoined cōſideration, oꝛ expꝛeſſing of any vſe oꝛ vſes to the contrarie notwithstanding.

2 And be it further enacted by the ſaith afoꝛeſaid, that all and euꝛy the parties to ſuch ſepned, covenous, and fraudulent gifts, grants, leaſes, charges, oꝛ conveyances befoꝛe expꝛeſſed, oꝛ being pꝛiue and knowing of the ſame, oꝛ any of them which after the xx day of Apꝛil next coming, ſhall ſwittingly and willingly put in vꝛe, ſuits, maintain, iuſtifie, oꝛ defend the ſame, oꝛ any of them, as true, ſimile, and done, had, oꝛ made bona fide, oꝛ vpon good conſideration, to the diſturbance oꝛ hinderance of the ſaid purchaſer oꝛ purchaſers, leaſers, oꝛ grantors, oꝛ of, oꝛ to the diſturbance oꝛ hinderance of theiꝛ heiꝛes, ſucceſſoꝛs, executoꝛs, adminiſtratoꝛs, oꝛ aſſignes, oꝛ ſuch as haue, oꝛ ſhall lawfully claime any thing, by, from, oꝛ vnder them, oꝛ any of them, ſhall incurre the penalty & forfeiture of one peceſſe value of the ſaid lands, tenements, & here-

## Fraudulent deedes:

ditaments so purchased or discharged: The one moiety whereof to be to the Quenes Majestie, her heires and successors, and the other moiety to the party or parties grieved by such feyned and fraudulent gift, graunt, lease, conveyance, incumbrance, or limitation of vse, to be recovered in any of the An: Courts of record, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of law, shall be admitted for the defendant or defendants: & also being thereof lawfully convicted, shall suffer imprisonment for one halfe yere without baile or mainprize.

3. Promised also, and be it enacted by the authoritie aforesaid, that this Act, or any thing therein conteyned, shall not extend or be construed to impeach, defeat, make void, or frustrate any conveyance assignement of lease, assurance, graunt, charge, lease, estate, interest, or limitation of vse, or benefice, of, in, to, or out of any lands, tenements, or hereditaments heretofore or any time had or made, or hereafter to be had or made, vpon or for good consideration, & bona fide, to any person or persons, bodies politike or corporate: any thing before mentioned to the contrarie hereof notwithstanding.

4. And be it further enacted by the authoritie aforesaid, that if any person or persons, haue heretofore since the beginning of the Quenes Majesties reigne that now is, made, or hereafter shall make, any convey-

uey.

conveyance, gift, grant, demise, charge, limitation of use, or uses, or assurance, of, in, or out of any lands, tenements, or hereditaments, with any clause, provision, article, or condition of renocation, determination, or alteration, at his or their will or pleasure, of such conveyance, assurance, grants, limitations of use or estates, of, in, or out of the said lands, tenements, or hereditaments, or of, in, or out of any part or parcel of them, contained or mentioned in any writing, deed, or indenture of such assurance, conveyance, grant, or gift, and after such conveyance, grant, gift, demise, charge, limitation of use, or assurance so made, or had, shall or do bargain, sell, demise, grant, convey, or charge the same lands, tenements, or hereditaments, or any part or parcel thereof, to any person or persons, bodies politique or corporate, for money or other good consideration, payed, or given, the said first conveyance, assurance, gift, grant, demise, charge, or limitation, not by him or them revoked, made void, or altered according to the power and authority reserved or expressed unto him, or them, in, and by the said secret conveyance, assurance, gift, or grant: That then the said former conveyance, assurance, gift, demise, and grant, as touching the said lands, tenements, and hereditaments so after bargained, sold, conveyed, demised, or charged against the said bargain, venditor, seller, grantor, and every

G. 3. 82. 6.  
Inst. 3.

## Fraudulent conueyances.

entry of them, their heires, successours, executors, administrators, and assignes, and against all and every person and persons, which have, shall, or may lawfully claime any thing, by, from, or vnder them, or any of them, shall be deemed, taken, and aduouched to be void, frustrate, & of none effect, by vertue and force of this present Act.

Provided nevertheless, that no lawfull mortgage, made or to be made bona fide, and without fraud or covin, vpon good consideration, shall be impeached or impeyyed by force of this Act, but shall stand in the like force & effect, as the same should have done, if they had never bin had nor made: any thing in this act to the contrary, in any wise notwithstanding.

And be it further enacted by the authority aforesaid, that all the whole tenour and contents of all Statutes Merchants, and Statutes of Staple, hereafter to be knowledged, shall within sixe moneths next after such knowledging, be entred in the office of the Clerke of Recognisances, taken according to the Statute made in the xxij. years of the raigne of the late King Henry the viij. by the shewing forth of the said Statute Merchant, or Statute Staple so knowledged vnto the said Clerke, which said Clerke of the Recognisances shall enter, or cause to be entred, the same Statutes into a booke for that purpose to be provided, and lawfully kept by him, taking eight pence, and

# Fraudulent conueyances. 248

no more for every such entrie.

7 And be it further enacted, that if the party to whom any such Statute Merchant, or of the Staple shall be knowledged, his executors or administrators, do, or shall not within thir. moneths next after the knowledging of any such Statute, bring & deliuer, or cause to be brought and deliuered unto the said Clerke, or his deputie or deputies, for the time being, all and every such Statute and Statutes, as shall be so knowledged to him, or to his use, whereby, and to the intent that the said Clerke, his deputie or deputies, may take and enter a true Copie thereof, that then every such Statute Merchant, and of the Staple, not so entred, shall be void, frustrate, and of none effect against all and every such person and persons, and bodies politike and corporate, their heires, successors, executors, administrators, and assignes, vnto, as shall after the knowledging of the said Statutes, or any of them, purchase for money, or other good consideration, the lands, tenements, or hereditaments, which were liable to the said Statute Merchant, or of the Staple, or any part or parcel thereof, or any rent, lease, or profite, of, or out of the same.

8 This Act to continue for the space of ten yeares, and from thenceforth vnto the end of the Parliament then next following.

9 Provided alwaies, that this act nor any thing therein conteyned, shall not extend,



## Treason.

be construed to make good any purchase, grant, lease, charge, or profite, of, in, or out of, any lands, tenements or hereditaments heretofore made void, defeated, or void, by reason of any former conveyance, grant, or assurance, so as the partie or parties, or their heires or assignes, which have so defeated or made void the same, were in actual possession the first day of this present Parliament, of or in the said lands, tenements, or hereditaments, whereof, or out of which any such purchase, grant, lease, charge or profite was made.

It is provided that this act, nor any thing therein contained, shall extend in any sort to restrain or impair the jurisdiction, power or authority of the court of Star chamber.

¶ An Act concerning Errors in Records of Attainders of high Treason, And

29. Eliz. cap. 3.

## Treason 6.

As much as through corruption or negligent keeping of records of attainders of Treason happen many times to be impaired, blemished or otherwise to be defective, Be it ordeined & enacted by the authority of this present Parliament, that no record of attainder that now is, of any person or persons, of, or for any high Treason, where the party so attainted is or hath bin executed for the same Treason shall by the heire

heire or heires of any such person, or by any other whatsoever claiming in, from, by, or under, any such heire or heires, be in any wise hereafter reversed, undone, avoided, or impeached, by any plea, or for any error whatsoever.

2. Provided alwaies nevertheless, that this act nor any thing therein conteyned, shall in any wise extend to any recozd of attainder, of, or for any treason upon which any writ of Error is now depending, or which recozd is already reversed, repealed, or undone, by, or for any error, matter, plea, or cause whatsoever: but that the same shall be and remaine as unto & against that party, at whose suit the same writ of Error is depending, or at whose pursuit the same recozd hath been reversed, repealed, or undone, and his and her heires and assigns onely, as if this act had never been had or made, any thing in this act to the contrary thereof notwithstanding.

An act against abuses in election of Schollers  
and presentations to Benefices,

Anno 31. Eliz. cap. 6.

Election 3.

**W**here as by the intent of the Founders of Colledges, Churches collegiat, Churches cathedrall, Scholes, Hospitalls, Halls, and other like Societies within this Realme, by the statutes & good orders

orders of the same, the elections, presentations, & nominations of fellows, scholars, officers, & other persons to have room or place in the same, are to be had & made of fittest and most meet persons, being capable of the same elections, presentations, and nominations freely, without any rewarde, gift, or thing given or taken for the same: And for the true performance wherof some electors, presentors, & nominators in the same, have or should take a corporall oath to make their elections, presentations, & nominations accordingly: yet notwithstanding it is seen & found by experience, that the said elections, presentations and nominations, bee many times wrought & brought to passe with money, gifts & rewards, whereby the fittest persons to be elected, presented, or nominated, wanting money or friends, are selborne or not at all preferred, contrarie to the good meaning of the said foundors, and the said good statutes and ordinances of the said colleges, churches, schooles, halls, hospitals and societies, and to the great prejudices of learning, and the common wealth & state of this realme.

For remedy wherof, be it enacted by the Queens most excellent maiestie, the Lords Spirituall and Temporall, and the commons in this present parliament assembled, and by the authoritie of the same, that if any person or persons, bodies politike or corporate, which haue election, presentation,

or nomination, or voide, or assent in the choise,  
 election, presentation, or nomination of any  
 fellow, scholler, or any other person, to have  
 some or place in any the said churches, col-  
 ledges, scholes, hospitals, halles, or socie-  
 ties, shall at any time after forty daies next  
 after the end of this present session of Par-  
 liament, haue, receiue, or take any money,  
 fee, reward, or any other profite directly or  
 indirectly, or shall take any promise, agree-  
 ment, covenant, bond, or other assurance to  
 receiue or haue any money, fee, reward, or a-  
 ny other profite directly or indirectly, either  
 to him or themselves, or to any other of their  
 or any of their friends, for his or their voide  
 or voide, assent or assents, or consents, in e-  
 lecting, choosing, presenting, or nominating  
 any officer, fellow, scholler, or other persn to  
 haue any roome or place, in any the said churches,  
 colleges, halles, scholes, hospitals or socie-  
 ties: that the & from thenceforth, & place  
 roome or office, which such person so offend-  
 ing, shall then haue in any & said churches,  
 colleges, scholes, halles, hospitals, or socie-  
 ties shall bee void. And that then after the  
 Matreskie, her heires, and successors, and  
 every other person or persons, or their heires  
 & successors, to whom the presentation, no-  
 mination, gift, election, or dispensation, shall of  
 right belong or appertaine of any such of the  
 said roomes or places, of the said person of-  
 fending as aforesaid, shall or may at their  
 pleasure elect, present, nominate, place or ap-  
 point

## Election.

point any other person or persons, in the  
 same, office, or place of such person or per-  
 sons so offending, as if the said person or  
 persons, so offending then were naturally  
 dead.

3 And be it further enacted by the authori-  
 ty aforesaid, that if any Fellow, Officer, or  
 Scholler of any the said Churches, Colled-  
 ges, Scholes, Halls, Hospitales, or So-  
 cieties, or other persons having come or  
 place in any of the same, shall at any time  
 hereafter directly, or indirectly, take or re-  
 ceive, or by any way, devise, or meanes, con-  
 tract, or agree to have, or receive any money,  
 reward or profit whatsoever, for the leaving  
 or resigning by of the same his or her place  
 for any other to be placed in the same: that  
 then everie person so taking, or contracting,  
 or agreeing to take or have any thing for the  
 same, shall forfeit and lose double the summe  
 of money, or value of the thing so received  
 and taken, or agreed to be received or taken.  
 And every person by whom, or for whom a-  
 ny money, gift, or reward as aforesaid, shall be  
 given or agreed to be paid, shall be incap-  
 able of that place or room for that time or  
 turne, and shall not be, nor had, nor taken to  
 be a lawfull Fellow, Scholler, or Officer of  
 any the Churches, Colledges, Halls, Hospi-  
 tales, Scholes, or societies, or to have such  
 room or place there: but that they to whom  
 it shall appertain at any time hereafter, shall  
 and may elect, chuse, present & nominate any  
 other

other person fit to be elected, presented or nominated into the same room or fellowship as if the said person, by or from whom any such money, gift, or reward shall be given or agreed to be given were dead, or had resigned and left the same. And for more sincere election, choice, presentation, and nomination of fellows, scholars, officers, and other persons, to have room or place hereafter in any of the said churches, colleges, halls, schools, hospital, and other like societies.

4. Be it further enacted by the authority aforesaid, that at the time of every such election, presentation or nomination hereafter to be had, as well this present act, as the orders and statutes of the same places concerning such election, presentation, or nomination to be had, shall then & there be publicly read, upon paine that every person, in whom default thereto shall be, shall forfeit and lose the summe of forty pounds: All which forfeitures shall and may be had and recovered, in any her majesties Courts of record, by any person or persons, bodies politike and corporate, that shall sue for the same, by bill, plaint, or action of debt, in which no excuse, protection, or wager of law shall be allowed, the one moiety whereof shall bee to him or them that shall sue for the same, the other moiety to the use of the said Church, college, hall, hospital, schools, or societies, whose such offence shall be committed. And

## Election.

for the avoiding of Symonie, and corrup-  
tion in presentations, collations, and dona-  
tions, of, & to benefices, dignities, prebends,  
and other livings and promotions ecclesi-  
astical, and in admissions, institutions, and  
inductions to the same.

5 Be it further enacted by the authoritie  
aforesaid, that if any person or persons, bo-  
dies politike or corporat, shall, or doe at any  
time after the end of forty dayes, next after  
the end of this Session of Parliament, for  
any summe of money, reward, gift, profit, or  
benefite, directly or indirectly, or for, or by  
reason of any promise, agreement, grant,  
bond, covenant, or other assurance, of, or for  
any summe of money, reward, gift, profite, or  
benefite whatsoever, directly or indirectly,  
present or collate any person to any Bene-  
fice with cure of soules, dignitie, prebend, or  
living ecclesiasticall, or give, or bestow the  
same, for, or in respect of any such corrupt  
cause, or consideration, that then everie such  
presentation, collation, gift, and bestowing,  
and everie admission, institution, investiture,  
and induction thereupon, shall be utterly  
void, frustrate, & of none effect in law. And  
that it shall and may be lawfull, to, and for  
the Queenes Majestie, her heires & succes-  
sors, to present, collate unto, or give, or be-  
stow every such benefice, dignitie, prebend,  
and living ecclesiasticall for that one time or  
turne onely, and that all & every person and  
persons, bodies politike and corporat, that  
from

from thenceforth shall give or take any such summe of money, reward, gift, or benefice, directly or indirectly, or that shall take or make any such promise, graunt, bond, covenant, or other assurance, shall forfeit and lose the double value of one yeares profit of every such benefice, dignitie, prebend, and living ecclesiasticall, and the person so corruptly taking, procuring, selling, or accepting any such benefice, dignitie, prebend, or living, shall thereupon, and from thenceforth be adjudged a disabled person in Law to have or enjoy the same benefice, dignitie, prebend, or living ecclesiasticall.

And be it further enacted, that if any person shall at any time after xl. dayes next after the end of this Session of parliament, for any summe of money, reward, gift, profit, or commoditie whatsoever, directly or indirectly, (other then for the usuall and lawfull fees) or for, or by reason of any promise, agreement, graunt, covenant, bond, or other assurance, or, or for any summe of money, reward, gift, profit, or benefice whatsoever, directly or indirectly, admit, institute, install, induct, invest, or place any person, in, or to any benefice with cure of soules, dignitie, prebend, or other living ecclesiasticall, That then every such person so offending, shall forfeit and lose the double value of one yeares profit, of every such benefice, dignitie, prebend, & living ecclesiasticall. And that thereupon immediately from & after the investing, installation,



## Election.

or induction thereof had, the same Benefice, dignitie, prebend, and living ecclesiasticall, shalbe esteemed merely void. And that the patron or person to whom the Benefice, gift, presentation, or election shall by law appertaine, shall and may by vertue of this act, present or collate into, give & dispose of the same benefice, dignitie, prebend, or living ecclesiasticall, in such sort, to all intents & purposes, as if the parties so admitted, instituted, installed, inueſted, inducted or placed, had bin or were naturally dead.

7. Provided also, that no title to confer or present by lapse, shall accrue upon any avoidance mentioned in this act, but after 6. moneths next after notice given of such avoidance by the ordinaries to the patron.

8. And be it further enacted by the authoritie aforesaid, that if any incumbent of any benefice with cure of soules, after the end of the said xl. daies, do, or shal corruptly resigne or exchange the same, or corruptly, take, for, or in respect of the resigning, or exchanging of the same, directly or indirectly, any pension, summe of money, or benefit whatsoever: that then aswell the giver as the taker of any such pension, sum of money or benefit corruptly, shal lose double the value of the sum so given, taken, or had, the one moiety aswell thereof, as of the loss. of double value of one years profit before mentioned, to be to the donor, whether he happen & succeede, and the other moiety to him or them that shal live for the same,

same, by action of debt, bill, or information, in any of her Ma. courts of Record, in which no escoin, protection, or wager of law, or privilege shall be admitted or allowed.

9. It is ordained likewise, that this act or any thing herein contained, shall not in any wise extend to take away, or restrain any punishment, paine, or penaltie, limited, prescribed, or inflicted by the lawes ecclesiasticall, for any the offences before in this act mentioned, but that the same shall remaine in force, & may be put in due execution, as it might be before the making of this act, this act, or any thing therein contained to the contrary thereof, in any wise notwithstanding.

10. It is ordained further & be it so, that if any person or persons whatsoever shall or doe at any time after the end of this session of parliament, receive or take any money, fee, reward, or any other profite, directly or indirectly, or shall take any promise, agreement, covenant, bond, or other assurance to receive or have any money, fee, reward, or any other profite, directly or indirectly, either to him or themselves, or to any other of their or any of their friends, (all ordinaries and lawfull fees onely excepted) for to procure the obtaining or making of any minister or ministers, or giving of any others, or licence or licences to preach, that thin either person and persons so offending, shall for every such offence, forfeit and lose the summe of xl. li. of lawfull money of England, & the partie so corruptly

## Election.

ordained or made minister, or taking orders shall forfeit and lose the summe of tenne pounds.

11 And if at any time within seven years next after such corrupt entering into the ministrie, or receiving of orders, he shall accept or take any Benefice, living, or promotion ecclesiasticall, that then immediately from and after the induction, investing, or installation thereof, or therinto had, the same benefice, living, and promotion ecclesiasticall, shall be estewes merely void, and that the Patron or Parson to whom the advowson, gift, presentation, or collation, shall by Law appertain, shall and may by vertue of this Act, present or collate unto, give, and dispose of the same benefice, living, or promotion ecclesiasticall, in such sort to all intents and purposes, as if the partie so inducted, invested, or installed, had ben, or were naturally dead: any law, ordinance, qualification, or dispensation to the contrary notwithstanding. The one moitie of all which forfeitures shall be to our Soueraigne Lady the Queene, her heires and successors, and the other moitie to him or them that will sue for the same, by action of debt, bill, plaint, or information, in any of her Majesties Courts of record, in which no assize, protection, privilege, or wager of law shall be admitted, or allowed.

An Act for explanation of the Statute made in the 34. yeare of King H.8. aswell touching Graunts made to his Maieskie, as for confirmation of Letters patents made by his highnesse to others, An 35. Eliz. cap. 3.

Patents 18.

**F**OR as much as diuers ambiguities, doubts, and questions haue risen & ben moued, aswell touching diuers surrenders, graunts, and conueyances made and granted by sundry late Abbots, priors, and other religious and ecclesiasticall persons, to the late king of famous memorie King H. 8. after the 4. day of Feb. in the 27. yeare of his reigne, of diuers their honours, manors, lands, tenements, & hereditaments, as also touching and concerning the validitie of the creations of such Deanes & Chapters, and such Colledges as were erected, ordryned, made, or founded by the said late King H. the 8. after the said 4. day of Feb. in the said 27. yere of his reigne: & forasmuch as the same doubts & questions seme not to be sufficiently remedied or provided for, by the stat. made in the 34. yeare of the reigne of the said late K. H. the 8. intituled, An act for confirmation of Letters patents, notwithstanding naming of any thing contained in the same:

Be it therefore declared, explained, and enacted by the authority of this present parliament, that all and every honours, manors,

lands, tenements, & hereditaments, which at any time heretofore were the possessions of any Abbeys, monasteries, priories, houses, or other religious or ecclesiastical house or houses, & which after the said 4. day of February, in the said 27. years of the said late King H. 8. came to the hands or possession of the said late King H. 8. or which were put in charge, to, or for his highness in his Court of Wichequer, or any other Court of the said late King concerning his Majesty's revenues, or by any auditor, or other officer of the said late King, or which after the said 4. day of February, in the 27. years aforesaid, were granted or conveyed, or mentioned to be granted or conveyed, in, or by any Letters Patents whatsoever, made by the said late King H. 8. to any person or persons, whole politike or corporat, were & shalbe reputed, taken, and adjudged to have bene lawfully and perfectly in the actual and real possession of the said late King, & his heirs & successors, at such time as the same did so come to his Majesty's hands & possession, or were so put in charge, or granted, or conveyed by the said late King H. 8. as aforesaid, notwithstanding any defect, want, or insufficiency, of, or in any surrender, grant, or conveyance of the same houses, monasteries, lands, tenements, or hereditaments, or any part thereof, to the said late King H. 8. or any other matter or cause whatsoever, by which his highness's son or might have been interrupted

tailed to the same.

And be it further declared and enacted by the authority aforesaid, that all and singular Letters patents made by the said King Edw. 3. at any time after the said 4. day of February, in the said 27. years of his reign, for the erection, foundation, incorporation, or endowment of any Deane & chapter, or college, were, and shall be reputed, taken, and avouched to have been good, perfect, and effectual in the law for all things therein contained, according to the true intent & meaning of the same: any thing, matter, or cause to the contrary thereof in any wise notwithstanding. Having always into all person and persons, bodies politic and corporate, their heirs & successors, and every of them, other than the late Abbots, priors, priories, and other governors of such Abbots, monasteries, priories, nunneries, & other religious and ecclesiastical houses, & their successors, and such as pretended to be founders, patrons, or donors of the same, or any of them: or of any manors, lands, tenements, or hereditaments belonging to the same, or to any of them, and their, and every of their heirs & successors, all such right, title, interest, claim & demand, as they or any of them, or their, or any of their ancestors or predecessors might, or ought to have had, of, in, to, or out of any such houses, manors, lands, tenements, or hereditaments, before the said 4. day of Feb. in the 27. years of the reign of the

## Administrations.

the said King Henry the 8. in before the making of such Letters Patents by the said King H. 8. as if the said letters patents made by the said King H. 8. & the said statute made in the said 34. yere of his raigne, & this present act had never been made: this act or any thing therein conteyned to the contrary notwithstanding.

An Act against fraudulent administration of intestates goods, 43. Eliz. cap. 8.

### Administrations 1.

**F**Orasmuch as it is often put in bye, to the defrauding of creditors, that such persons as are to have the administration of the goods of others dying intestate, committed unto them, if they require it, will not accept the same, but suffer or procure the administration to be granted to some stranger of meaner estate, & not of him to the intestate, from whom themselves, or others by their meanes do take deeds of gifts and authorities by letter of Attorney, whereby they obtaine the state of the intestate into their hands, and yet stand not subiect to pay any debts owing by the same intestate, & so the creditors for lacke of knowledge of the place of habitation of the administratour, cannot arrest him, nor sue him, & if they fortune to finde him out, yet for lacke of abilitie in him to satisfie of his own goods the value of that

he

er hath conveyed away of the intestates goods, or released of his debts by way of selling, the creditors cannot have or recover their full and due debts.

2. Be it enacted by the authority of this present Parliament, that every person and persons that hereafter shall obtaine, receive or have, any goods or debts of any person dying intestate, a release, or other discharge of any debt or duetie that belonged to the intestate upon any fraude, as is aforesaid, or without such valuable consideration as shall amount to the value of the same goods and debts, or more thereabouts, except it be in, or towards satisfaction of some full and principal debt of the value of the same goods or debts to him owing by the intestate at the time of his decease, shall be charged and chargeable as executor of his own wrong, and so farre onely as all such goods & debts coming to his hands, or whereof he is released or discharged by such administrator shall satisfie, deducting neverthelesse to and for himselfe allowance of all full, due, & principall debt upon good consideration without fraude owing to him, by the intestate at the time of his decease, & of all other payments made by him, which lawfull executors or administrators may and ought to have & pay by the Lawes and statutes of this realme.

An



## Execution.

An Act for new Execution, where the party  
shall be delivered out of execution by  
priviledge of Parliament, An  
1. law. cap. 13.

### Execution 12.

**F**or as much as heretofore doubt hath  
bene made, if any person being arrested  
in Execution, & by priviledge of either  
of the houses of Parliament let at liberty  
whether the party at whose suit such execu-  
tion was pursued, be for ever after barred  
disabled to sue forth a new writ of Execu-  
tion in that case. For the avoiding of all  
further doubt & trouble, which in like cases  
may hereafter ensue,

**B**e it enacted by the kings most excel-  
lent Majesty, by the Lords spiritual & tem-  
pall, and by the Commons in this present  
Parliament assembled, That from hence-  
forth the party, at, or by whose suit such writ  
of execution was pursued, his executors or  
administrators, after such time as the pri-  
viledge of that Session of Parliament, in  
which such priviledge shall be so granted,  
shall cease, may sue forth and execute a new  
writ, or writs of Execution, in such manner &  
form, as by the Laws of this Realme he or  
they might have done, if no such former exe-  
cution had been taken forth or served.

**A**nd that from henceforth no Sheriffe,  
Baillie, or other officer, from whose arrest  
or custody any such person so arrested in  
execu-

execution shall be detained by any such writ  
by which shall be charged or chargeable, both  
by any action whatsoever: for delivering  
out of execution any such punished per-  
son, so as is aforesaid by such privilege of  
Parliament for at libertie: and last, customs,  
and other privileges heretofore to the contrary not-  
withstanding.

It is also enacted, that this act, or any  
part thereof, shall not extend to  
specie diminishing of any punishment to be  
executed hereafter by sentence in Parliament inflicted  
upon any person, which heretofore hath been  
of any punishment to be made any such writ, as is  
aforesaid.

An Act for avoiding unnecessary delays of  
Executions, Act 3. sec. cap. 8.

Executions 13.  
Fas much as his highnes subjects are  
now more commonly troubled from  
their just debts, and often in danger to  
lose the same by meanes of writs of error,  
which are more commonly used then hereto-  
fore they have been.

Be it therefore enacted, by the authority  
of this present Parliament, That from and  
after the end of this present Session of Par-  
liament, no execution shall be stayed or delayed,  
upon, or by any writ of Error, or Superse-  
dit thereupon to be sued for the reversing of  
any Judgement given, or to be given in any  
action

## Executions.

action or bill of debt, upon any single bond  
for debt, or upon any obligation with condi-  
tion for the payment of money onely, or upon  
any action or bill of debt for rent, or upon any  
contract sued in any of his Highnesse courts  
of record at Westmynst. or in the Countie  
Palatine of Chester. Lancaster, or Dur-  
ham, or in his Highnesse Courts of great  
Sessions in any the 12. Shires of wales  
unlesse such person or persons in whose  
name or names such writ of Execo. shall be  
brought, with two sufficient sureties, such  
as the Court wherein such Judgement is,  
or shall be given, shall allow of, shall first be-  
fore such day made, or Superseas to be a-  
warded, be bound unto the partie for whom  
any such Judgement is, or shall be given, by  
Recognizance to be acknowledged in such  
court, in double the summe adjudged, to be  
recovered by the said former judgement, to  
prosecute the said writ of Execo. with effect.  
And also to satisfie & pay (if the said Judg-  
ment be affirmed) all and singular the debts,  
damages, and costs adjudged, or to be ad-  
judged upon the former Judgement. And  
all costes and damages to be also awar-  
ded for the same delaying of execution. This  
Act to have continuance to the end of the  
first Session of the next Parliament.

An

An Act giuing costes to the defendant  
vpon a Nonsuit of the Plaintife,  
or a verdict against him.

As 4. Jac. cap. 3.

### Damages and Costes 9.

**W**heras in the 23. yeare of King  
Henry the eight of famous me-  
morie, a good and profitable Law  
was made, whereby it was enacted,  
That in cases where the plaintife in any  
action, bill, or plaint of debt, trespass vpon  
the case, detinue, accompt, and in some  
other actions therein especially mentioned,  
should become nonsuit, or a verdict should  
bee had against the said plaintife, That  
then in such cases the Defendant should  
haue Iudgement to reconer his costes  
against euery such Plaintife, as by the  
said Law appeareth: which Law hath  
beene found to be verie good and beneficiall  
for the common wealth, and thereby many  
haue been discouraged from bringing frivo-  
lous and vniust suites, because such parties  
are to make recompence to the parties vn-  
iustly vexed for the said vniust vexations.  
And for as much as Actions of Trespasse,  
and actions of Electione firmæ, and many o-  
ther actions real and personall are within  
the mischiefe, as the said other actions were

at

## Costes.

of the Common Law, and yet were omitted  
out of the yocation of the said law.

2. *as remede wherof, be it enacted by  
the king, &c. That if any person or persons,  
at any time after the end of this present ses-  
sion of parliament, shall commence or sue in  
any Court of record, or in any other Court,  
any action, bill, or plaint of trespass, or Eicci-  
one firme, or any other action whatsoever,  
wherein the plaintiffe or demandant might  
have costes, if in case the said Judgement  
should be given for him, And the plaintiffe  
or plaintiffes, demandant or demandants in  
any such action, bill, or plaint, after appea-  
rance of the defendant or defendants be non-  
sured, or that any verdict happen to passe by  
any lawful trial against the plaintiffe or  
plaintiffes, demandant or demandants in  
any such action, bill, or plaint, That then the  
defendant or defendants in every such ac-  
tion, bill, or plaint, shall have Judgement to  
recover his costes against every such plain-  
tiff and plaintiffes, demandant and deman-  
dants, to be assessed, taxed, & levied, in manner  
and forme, as costes in the said actions are to  
be assessed, taxed, and levied, in, and by the  
said Law of the 13. of king Henry the 8.*

FINIS.

